

By Mr. IRVING:

H. R. 5683. A bill to amend Public Law No. 875 of the Eighty-first Congress with respect to Federal contributions to States and to local governments in connection with disaster expenditures made before the President determines that a major disaster exists; to the Committee on Public Works.

By Mr. GARY:

H. R. 5684. A bill making appropriations for mutual security for the fiscal year ending June 30, 1952, and for other purposes; to the Committee on Appropriations.

By Mr. HEBERT:

H. J. Res. 344. Joint resolution providing for recognition and endorsement of the International Trade Fair and Inter-American Cultural and Trade Center in New Orleans, La.; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENTSEN:

H. R. 5685. A bill for the relief of Rumi Takemura; to the Committee on the Judiciary.

By Mr. GOODWIN:

H. R. 5686. A bill for the relief of Alexander A. Senibaldi; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 5687. A bill for the relief of Peter Mihaly Berend; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 5688. A bill for the relief of Mrs. James J. O'Rourke; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 5689. A bill for the relief of Mrs. Emma de Sarnezey; to the Committee on the Judiciary.

By Mr. SEELY-BROWN:

H. R. 5690. A bill for the relief of the John D. McWilliams Co., Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

455. By Mr. CANFIELD: Resolutions adopted by the New Jersey State Federation of Labor at a mass meeting held in Newark, N. J., on September 29, 1951, calling for stricter price and rent controls; to the Committee on Banking and Currency.

456. By Mr. HART: Petition of New Jersey State American Federation of Labor at a mass demonstration of trades-unionists from 10 counties, and others held in the city of Newark, September 29, 1951, appealing to Congress to alter the present law governing rent control; to the Committee on Banking and Currency.

457. Also, resolution of New Jersey State American Federation of Labor at a mass meeting of trades-unionists and other interested consumers from 10 counties of the State held under the auspices of the New Jersey State American Federation of Labor, demanding speedy and favorable congressional action looking toward the repeal of the vicious features of the price-control law; to the Committee on Banking and Currency.

458. Also, petition of the New Jersey State American Federation of Labor at a mass demonstration of trades-unionists from 10 counties of the State of New Jersey, seeking relief for GI families and recontrol of reactivated military and defense areas; to the Committee on Banking and Currency.

459. Also, petition of New Jersey Press Association which unanimously adopted a resolution calling the attention of the United States to awaken the world to the tyranny of

Soviet officials of Czechoslovakia and to take every action possible for the release of William N. Oatis, imprisoned representative of the Associated Press; to the Committee on Foreign Affairs.

460. By Mr. KELLEY of Pennsylvania: Petition of the Irwin Aerie No. 1671 of the Fraternal Order of Eagles urging the Federal Government to secure the freedom of William N. Oatis; to the Committee on Foreign Affairs.

461. By the SPEAKER: Petition of Associated Townsend Clubs of Dade County, Bay Front Park, Miami, Fla., vigorously protesting the proposed opening of the welfare rolls to public exposure; to the Committee on Ways and Means.

462. Also, petition of James J. Laughlin, attorney, Washington, D. C., relative to impeachment of William C. Coleman, judge, United States District Court for the District of Maryland; to the Committee on the Judiciary.

SENATE

THURSDAY, OCTOBER 11, 1951

(Legislative day of Monday, October 1, 1951)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we beseech Thee that Thou wilt make this moment of devotion a pavilion of Thy peace, as, trusting only in Thy mercy, we bring our soiled lives to Thy cleansing grace. We come with burdens on our minds and hearts for our Nation and the world and with deep anxiety concerning the future our children will inherit from our hands; yet we live in the faith that Thy truth is marching on, even in the perplexities and dislocations of these terrific days.

We thank Thee for every word of truth which has been spoken the wide world through for all of right which the human conscience has perceived and woven into the social fabric, which all the wrath of misguided men cannot destroy. Make us the ministers of that understanding and love which will not halt its growing sway until it joins all nations and kindreds and tongues and peoples in one great fraternity. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. McFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 9, 1951, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On October 8, 1951:

S. 1349. An act to establish a Department of Food Services in the public schools of the District of Columbia, and for other purposes.

On October 10, 1951:

S. 617. An act for the relief of Pascal Nemoto Yutaka;

S. 1183. An act to amend the act entitled "An act to authorize the construction, protection, operation, and maintenance of public airports in the Territory of Alaska," as amended; and

S. 1437. An act for the relief of Maiku Suzuki.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House has passed, without amendment, the bill (S. 2080) for the relief of Inooka Kazumi.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5215) making supplemental appropriations for fiscal year ending June 30, 1952, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON, Mr. THOMAS, Mr. WHITTEN, Mr. TABER, and Mr. DAVIS of Wisconsin were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1959. An act to amend the National Labor Relations Act, as amended, and for other purposes; and

S. 2231. An act to effect entry of a minor child adopted or to be adopted by a United States citizen.

LEAVES OF ABSENCE

On request of Mr. McFARLAND, and by unanimous consent, Mr. GILLETTE was excused from attendance on sessions of the Senate to and including October 25, 1951.

On request of Mr. SALTONSTALL, and by unanimous consent, Mr. MCCARTHY was excused from attendance on the session of the Senate today.

On request of Mr. McFARLAND, and by unanimous consent, Mr. McCLELLAN was excused from attendance on the sessions of the Senate from today until next Wednesday.

On his own request, and by unanimous consent, Mr. JOHNSON of Colorado was excused from attendance on the sessions of the Senate for a week.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

CONVENTION CONCERNING FEE-CHARGING EMPLOYMENT AGENCIES ADOPTED BY INTERNATIONAL LABOR CONFERENCE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 257)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Foreign Relations. (For President's message, see today's proceedings of the House of Representatives.)

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred, as indicated:

AMENDMENT OF FOREIGN SERVICE ACT OF 1946

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to amend the Foreign Service Act of 1946, as amended, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

REPORT OF COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on cooperation of the United States with Mexico in the control and eradication of foot-and-mouth disease, for the month of August 1951 (with an accompanying report); to the Committee on Agriculture and Forestry.

LAW ENACTED BY FIRST GUAM LEGISLATURE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a copy of a law to amend section 337 of the Penal Code of Guam relating to cockpits and cock fighting, which had been enacted by the First Guam Legislature (with an accompanying paper); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of orders of the Commissioner of Immigration and Naturalization suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO UNITED STATES OF CERTAIN ALIEN SEAMEN

A letter from the Attorney General, transmitting, pursuant to law, a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated October 20, 1950, authorizing the temporary admission into the United States, for shore leave purposes only, of certain alien seamen (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of orders of the Commissioner of Immigration and Naturalization granting the application for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO UNITED STATES OF CERTAIN ALIENS

Four letters from the Attorney General, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of Francisco Gomez-Sandoval from a report relating to aliens whose deportation had been suspended, transmitted to the Senate on September 4, 1951; to the Committee on the Judiciary.

REPORT OF BOARD OF ACTUARIES OF CIVIL SERVICE RETIREMENT AND DISABILITY FUND (S. Doc. No. 76)

A letter from the Chairman of the United States Civil Service Commission, transmit-

ting, pursuant to law, a report of the Board of Actuaries of the Civil Service Retirement and Disability Fund, for the fiscal year ended June 30, 1950 (with an accompanying report); to the Committee on Post Office and Civil Service and ordered to be printed.

REPORT OF CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF

A letter from the president of the Thirty-fifth Convention of the American Instructors of the Deaf, transmitting, pursuant to law, a report of the proceedings and transactions of the thirty-fifth convention of that organization held June 18-22, 1951, at Fulton, Mo. (with an accompanying report); to the Committee on Rules and Administration.

CIRCULARS RELATING TO APPLICANTS FOR NOBEL PEACE PRIZE

A letter from the Nobel Committee of the Norwegian Parliament, transmitting circulars relating to applicants for the Nobel Peace Prize (with accompanying papers); to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the third annual convention of the International Union of Electrical, Radio, and Machine Workers (CIO), at Buffalo, N. Y., favoring the enactment of legislation to provide adequate funds for civil defense; to the Committee on Armed Services.

Resolutions adopted by Townsend Club, No. 1, of St. Cloud; Townsend Club, No. 1, of St. Petersburg; Townsend Club, No. 13, of St. Petersburg; the Associated Townsend Clubs of Hillsborough, and the Associated Townsend Clubs of Dade County, all in the State of Florida, protesting against the opening of welfare rolls to public exposure; to the Committee on Finance.

A resolution adopted by the national convention of the American War Dads Auxiliary, at Topeka, Kans., favoring the enactment of legislation to provide adequate aid for the midwestern rehabilitation program; to the Committee on Appropriations.

A resolution adopted at the national convention of the American War Dads Auxiliary, at Topeka, Kans., relating to the use of conscientious objectors in non-combat service; to the Committee on Armed Services.

A resolution adopted by the national convention of the American War Dads Auxiliary, at Topeka, Kans., favoring the enactment of legislation to provide adequate housing facilities for families of service men who wish to live near training camps; to the Committee on Banking and Currency.

A resolution adopted by the national convention of the American War Dads Auxiliary, at Topeka, Kans., relating to the release of information pertaining to United States commitments and agreements with the Security Council of the United Nations regarding military assistance, and the method of selection and the name of the present chairman of the military staff committee of the United Nations; to the Committee on Foreign Relations.

A resolution adopted by the national convention of the American War Dads Auxiliary, at Topeka, Kans., favoring the establishment of a Standing Committee on Veterans Affairs in the Senate; to the Committee on Rules and Administration.

WILLIAM N. OATIS

Mr. O'CONNOR. Mr. President, with Associated Press Correspondent William N. Oatis still languishing in a Czechoslovak prison, it is heartening to note the many evidences that are continually being presented to indicate that the people of America are still deeply concerned and determined not to let the matter drop until his release is affected.

I have a copy of a recent report by the committee on international law of the Association of the Bar of the City of New York which has studied the various aspects of the case, diplomatic as well as those affecting the United Nations.

The committee concludes its report on the matter by presenting resolutions to the Association of the Bar of the City of New York which brand the treatment of Mr. Oatis as "a violation of the freedom of information" and urge that this Government continue not only to take appropriate action through the United Nations and other available channels but also initiate efforts to secure international acceptance of basic guarantees for the defense of any accused persons.

I ask unanimous consent that the resolutions of the committee be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Resolved, That the Association of the Bar of the City of New York holds that the "trial," prosecution, and conviction of William N. Oatis by the Government of Czechoslovakia was a denial of legal process as that term is traditionally understood in civilized countries and constituted a travesty of justice; and further

Resolved, That the Association of the Bar of the City of New York holds that the application of the definition of espionage in Czechoslovak law to the case of William N. Oatis is a violation of the freedom of information, one of the fundamental freedoms which all members of the United Nations, including Czechoslovakia, are pledged to respect; and further

Resolved, That the Association of the Bar of the City of New York urges the United States Government to continue appropriate action through the United Nations and other available channels and by other available means to effectuate the release of William N. Oatis; and further

Resolved, That the Association of the Bar of the City of New York further urges the United States Government to take appropriate action to secure international acceptance of basic guarantees for the defense of accused persons.

Respectfully submitted.

Committee on International Law; Dana Converse Backus, Chairman; Joseph L. L. Broderick; Clarence U. Carruth, Jr.; William Tucker Dean, Jr.; Thorold J. Deyrup; A. Michael Frothingham; William E. Jackson; Mary Gardiner Jones; Dorothy Kenyon; Parker McClester; Paul V. McNutt; Edmund L. Palmieri; A. J. Gustin Priest; Seymour B. Quel; Gerard Swope, Jr.; Louis Waldman.

Mr. UNDERWOOD. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by Lexington (Ky.) Lodge, No. 89, of the BPOE, in regard to the arrest of William N. Oatis.

This resolution speaks for itself, but since I have been a member of this Lexington Lodge of the Elks for more than 30 years, I deem it a privilege to concur in this sentiment and to say to my colleagues in the Senate that it comes from as truly loyal and patriotic a group of American citizens as can be found anywhere in the United States.

There being no objection, the resolution was referred to the Committee on

Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the arrest, trial, and conviction of William N. Oatis, an American citizen, by the Communist dictators of Czechoslovakia was a travesty of justice by any civilized standards and an obvious propaganda effort designed to embarrass the United States of America; and

Whereas William N. Oatis became a victim of Communist oppression while performing his duties as the chief of the Associated Press Bureau in Prague, which duties were to obtain factual news and report it; and

Whereas William N. Oatis was arrested in secret, kept incommunicado, and denied opportunity to have counsel of his own choosing, and the representative of the United States has been refused permission to visit him since the date of his arrest: Now, therefore, the members of Lexington Lodge, No. 89, of the Benevolent and Protective Order of Elks of the United States of America pledge to the President of the United States their full support of the strongest measures that may be necessary to obtain the release forthwith of William N. Oatis.

October 2, 1951.

WHEELER B. BOONE,
Exalted Ruler.
C. H. MALICK,
Secretary.

REVISION OF PEACE TREATY WITH ITALY—RESOLUTIONS OF GENERAL COURT OF COMMONWEALTH OF MASSACHUSETTS

Mr. LODGE. Mr. President, on behalf of my colleague the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present for appropriate reference resolutions of the Massachusetts Legislature adopted October 4, 1951, memorializing the Congress of the United States to revise the treaty of peace with Italy. As I do so, let me restate once again my complete agreement with the purport of this resolution. On last February 19 I wrote to the Secretary of State asking that the Italian peace treaty be revised, pointing out that the limitations in the treaty were not only bad for Italy, but bad for the armed forces being set up under the North Atlantic Pact and adding that they imposed a moral stigma on Italy which was wholly undeserved. The text of this letter was placed in the CONGRESSIONAL RECORD on February 22, and soon thereafter there appeared an editorial from the Boston Post which said: "It is well that Senator LONGE has taken the lead in urging the United States to act to scrap the Italian peace treaty." To this was added the statement in La Notizia, the Italian daily newspaper published in Boston, saying: "We have nothing but high praise" for my proposal.

On March 20, in conjunction with the distinguished Senator from Rhode Island, Senator PASTORE, I introduced Senate Resolution 102, calling upon the President to take immediate steps to revise the Italian treaty. The resolution held it to be the view of the Senate that it disapproved those provisions which interfere with the inherent right of the Italian Government and people to defend themselves. Later, during the debate on the troops to Europe resolution, and working in conjunction with Senator PASTORE and Senator WATKINS, of Utah, I took part in amending the pending proposal to call for a revision of the

existing treaty rather than for the negotiation of a new treaty. As thus modified, the amendment carried and stands before all the world as an official expression of the United States Senate condemning the present Italian treaty. The resolutions of the Massachusetts Legislature, therefore, are laid before a Senate which has already expressed itself in the same sense on this important matter. I am glad, therefore, to present them to the Senate.

The resolutions were referred to the Committee on Foreign Relations, as follows:

RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO REVISE THE TREATY OF PEACE WITH ITALY

Whereas Italy has during these past several years reconstructed her politico-social structure on the basis of democratic principles, and has fully assumed her share of responsibility in the mutual defense of the peace-loving democratic nations; and

Whereas the punitive and vindictive character of the peace treaty with Italy stands forth in obvious contrast to the actual international position of Italy, and, in particular, to her present active participation in the Atlantic Pact; and

Whereas the military clauses of the treaty continue to impose burdensome limitations upon Italy, so as to make it almost impossible for her to provide adequately for her own defense and for that of the Atlantic Pact nations; and

Whereas with a complete disregard for the treaty, Italy, as a result of the repeated Soviet vetoes, has not been permitted to enter the family of the United Nations; and

Whereas other clauses of the treaty, among which are those dealing with the Free Territory of Trieste, have been defined as inexecutable by the three major Allied Powers (United States, England, and France) by virtue of the tripartite declaration of March 20, 1948; and

Whereas the state of minority in which Italy is kept exercises a negative influence upon Italian public opinion, weakens the authority and prestige of the democratic Government, and offers valid arguments to the Communist opposition; and

Whereas only recently the Allied Nations have stipulated, in spite of the Soviet veto, the treaty of peace with Japan on a justly comprehensive and conciliatory basis: Therefore be it

Resolved, That the General Court of Massachusetts hereby requests the Congress of the United States to revise the treaty of peace with Italy so as to bring the international position of Italy into harmony with the present situation; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth.

In house of representatives, adopted, October 2, 1951.

LAWRENCE R. GROVE, *Clerk.*

In senate, adopted, in concurrence, October 4, 1951.

IRVING N. HAYDEN, *Clerk.*

A true copy.

Attest:

EDWARD J. CRONIN,
Secretary of the Commonwealth.

(The VICE PRESIDENT laid before the Senate resolutions of the General Court of the Commonwealth of Massachusetts, identical with the foregoing, which were referred to the Committee on Foreign Relations.)

CIVIL DEFENSE—RESOLUTION OF COMMON COUNCIL OF MILWAUKEE, WIS.

Mr. WILEY. Mr. President, on Monday, October 8, the Senate sustained the action of its Appropriations Committee in recommending the restoration of only \$32,300,000 of a \$407,000,000 House of Representative cut in civil defense funds which had originally been requested by the President. These funds are part of H. R. 5215, the first supplemental appropriations bill which has now gone to conference committee.

At this time I present a resolution forwarded to me by the intergovernmental liaison officer of the Milwaukee Civil Defense and Disaster Committee, Wayne F. Anderson, urging the appropriation of sufficient funds for civil defense and urging the empowering of the Civil Defense Administration to deal directly with those municipalities of the Nation which, like Milwaukee, are the potential chief target areas. At stake in this matter is not merely the question of the amount of funds, but rather the channels through which the funds shall be transmitted. I might mention at this point that in few cities of the Nation have there been more diligent strides made toward effective civil defense than in Wisconsin's largest city, Milwaukee.

I ask unanimous consent that the resolution, as transmitted to me by Mr. Anderson, and as certified by Stanley J. Witkowski, city clerk, be appropriately referred and printed in the RECORD for consideration by my colleagues in the full Senate as this issue arises again in the future and for consideration by the Senate-House conferees.

There being no objection, the resolution was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

Whereas the original Wadsworth civil defense plan called for the expenditure of \$3,100,000,000 over a 3-year period for shelters, regional stockpiles of critically needed materials, communications, organizational equipment, and local personnel and administration; and

Whereas the Wadsworth plan recommended that the Federal Government finance 54 percent or \$1,670,000,000 of the total \$3,100,000,000 program; and

Whereas the United States Congress appropriated only \$31,750,000 for civil defense purposes for fiscal 1951; and

Whereas the administration, upon the recommendation of the Bureau of the Budget, requested the Congress to appropriate \$535,000,000 for civil defense for fiscal 1952; and

Whereas the House of Representatives' Appropriations Committee has recommended that only \$65,255,000 be appropriated for civil defense purposes for fiscal 1952; and

Whereas the report of the House Appropriations Committee expressly and impliedly states that the States and municipalities should bear much larger portions of the responsibility for financing civil defense than was originally recommended in the Wadsworth plan; and

Whereas the American Municipal Association, many other organizations, and many municipal officials have expressed their opinion to the Congress on several occasions that our civil defense program will not be truly effective until the Federal Civil Defense Administration is empowered to deal directly with the municipalities that are the chief target areas; and

Whereas civil defense is widely recognized to be inextricably tied in with the military defense of our Nation; and

Whereas it is absolutely necessary that the Federal Government use its taxing and borrowing powers so as to raise funds with which to take the lead in financing civil defense: Now, therefore, be it

Resolved by the Common Council of the City of Milwaukee, That the Congress of the United States be and hereby is requested to appropriate realistic amounts of money for civil defense purposes for fiscal 1952 and succeeding years; and be it further

Resolved, That the Congress be and hereby is requested to empower the Federal Civil Defense Administration to deal directly with the municipalities of the Nation that are the chief target areas in the organizing and equipping of civil defense organizations and in the construction and preparation of adequate defense facilities; and be it further

Resolved, That the intergovernmental liaison officer of the Milwaukee Civil Defense and Disaster Committee be and hereby is authorized and directed to forward a copy of this resolution to those Senators and Representatives who represent the city of Milwaukee, and to such other Senators and Representatives as may be on committees considering civil defense matters.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

H. R. 5062. A bill to extend the authority of the Administrator of Veterans' Affairs to appoint and employ retired officers without affecting their retired status; without amendment (Rept. No. 934); and

H. R. 5405. A bill to amend section 207 (a) of Public Law 351, Eighty-first Congress; without amendment (Rept. No. 935).

By Mr. STENNIS, from the Committee on Armed Services:

H. R. 1180. A bill to facilitate the performance of research and development work by and on behalf of the Departments of the Army, the Navy, and the Air Force, and for other purposes; without amendment (Rept. No. 936).

By Mr. HAYDEN, from the Committee on Rules and Administration:

S. Res. 206. Resolution extending the authority and increasing the limit of expenditures for the investigation of personnel needs and practices of governmental departments and agencies; with an amendment (Rept. No. 937).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs:

H. R. 4203. A bill to ratify and confirm Act 7 of the Session Laws of Hawaii, 1951, extending the time within which revenue bonds may be issued and delivered under chapter 118, Revised Laws of Hawaii, 1945; without amendment (Rept. No. 941).

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

S. 2078. A bill to authorize the establishment of postal stations and branch post offices at military, naval, and Coast Guard camps, posts, or stations and at defense or other strategic installations, and for other purposes; with amendments (Rept. No. 943).

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT, RELATING TO DECENTRALIZATION OF CERTAIN GOVERNMENT PERSONNEL—REPORT OF A COMMITTEE

Mr. McCLELLAN. Mr. President, from the Committee on Expenditures in the Executive Departments, I report favorably an original bill to amend the

Federal Property and Administrative Services Act of 1949, as amended, to authorize the decentralization of certain Governmental personnel, and for other purposes, and I submit a report (No. 939) thereon.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar.

The bill (S. 2251) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the decentralization of certain Governmental personnel, and for other purposes, reported by Mr. McCLELLAN from the Committee on Expenditures in the Executive Departments, was read twice by its title and ordered to be placed on the calendar.

CONVERSION OF NATIONAL BANKS INTO AND THEIR MERGER WITH STATE BANKS—REPORT OF A COMMITTEE

Mr. MAYBANK. Mr. President, from the Committee on Banking and Currency, I report favorably an original bill to clarify the act of August 17, 1950, providing for the conversion of national banks into and their merger and consolidation with State banks, and I submit a report (No. 940) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2252) to clarify the act of August 17, 1950, providing for the conversion of national banks into and their merger and consolidation with State banks, reported by Mr. MAYBANK from the Committee on Banking and Currency, was read twice by its title and ordered to be placed on the calendar.

INCREASED LIMIT OF EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS—REPORT OF A COMMITTEE

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, Senate Resolution 219, submitted by the Senator from Texas [Mr. CONNALLY] on October 3, 1951. I ask unanimous consent for the immediate consideration of the resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arizona?

Mr. SALTONSTALL. Mr. President, reserving the right to object, although I shall not object, let me inquire whether this is a resolution providing an additional \$10,000 to the Committee on Foreign Relations.

Mr. HAYDEN. Yes; it is for the purpose of paying the cost of stenographic help in connection with the hearings.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. 219) was considered and agreed to, as follows:

Resolved, That the Committee on Foreign Relations hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-second Congress, \$10,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946, and Senate Resolution 171, agreed to August 6, 1951.

COMMITTEE TO PARTICIPATE IN DISCUSSION WITH REPRESENTATIVES OF CONSULTATIVE ASSEMBLY OF COUNCIL OF EUROPE—REPORTS OF A COMMITTEE

Mr. HAYDEN. Mr. President, I have two resolutions relating to the same subject matter, the first being a concurrent resolution.

From the Committee on Rules and Administration, I report favorably, without additional amendment, Senate Concurrent Resolution 36, reported by the Senator from Iowa [Mr. GILLETTE] from the Committee on Foreign Relations on October 4, 1951, with an amendment, and I submit a report (No. 938) thereon. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection to the request for the present consideration of the concurrent resolution?

Mr. SALTONSTALL. Mr. President, reserving the right to object, I should like to ask the Senator from Arizona a question: Is this a consultative assembly organized with a definite objective?

Mr. HAYDEN. Oh, yes. The representatives of the group were here, and visited with the members of the Foreign Affairs Committee of the House and the Foreign Relations Committee of the Senate, and extended this invitation.

Mr. SALTONSTALL. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

The amendment of the Committee on Foreign Relations was, on page 3, after line 8, to insert:

The expenses incurred by Members of the Senate, the House, and by staff members appointed for the purpose of carrying out this concurrent resolution shall not exceed \$15,000 for each House, respectively, and shall be paid from the contingent fund of the House of which they are Members. Payment shall be made upon the submission of vouchers approved by the chairman of the respective House or Senate delegation.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That not to exceed 14 Members of Congress shall be appointed to meet jointly with the representatives appointed by the Consultative Assembly of the Council of Europe for public discussion of problems of common interest, as envisioned by the resolution of the Consultative Assembly of May 12, 1951. Of the Members of the Congress to be appointed for the purposes of this resolution, half shall be appointed by the Speaker of the House from Members of the House, and half shall be appointed by the President of the Senate from Members of the Senate. Not more than four of the appointees from the respective Houses shall be of the same political party.

The expenses incurred by Members of the Senate, the House, and by staff members appointed for the purpose of carrying out this concurrent resolution shall not exceed \$15,000 for each House, respectively, and shall be paid from the contingent fund of the House of which they are Members. Payment shall be made upon the submission of

vouchers approved by the chairman of the respective House or Senate delegation.

The preamble was agreed to.

Mr. HAYDEN. Mr. President, in view of the fact that the House may not find time to act upon Senate Concurrent Resolution 36, which has just been agreed to by the Senate, and which provides for participation in the conference by seven Members of each body of the Congress, from the Committee on Rules and Administration, I report favorably, with an amendment, Senate Resolution 215 reported by the Senator from Iowa [Mr. GILLETTE] on October 4, 1951, from the Committee on Foreign Relations, without amendment, and I submit a report (No. 938) thereon. This resolution would authorize 7 Senators to perform the same functions as Senate concurrent resolution 36. It is with the understanding that if the concurrent resolution becomes effective, there will be no expenditures under this Senate resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 2, after the word "Senate" to insert a comma and "not more than four of whom shall be of the same political party."

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the President of the Senate is authorized to appoint not to exceed seven Members of the Senate, not more than four of whom shall be of the same political party, to meet jointly with the representatives appointed by the Consultative Assembly of the Council of Europe for discussion of problems of common interest, as envisioned by the resolution of the Consultative Assembly of May 12, 1951, and to designate the chairman of the delegation. The expenses of the Members so appointed and of a staff appointed for the purpose of carrying out this resolution, which shall not exceed \$15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the delegation.

The preamble was agreed to.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 11, 1951, he presented to the President of the United States the following enrolled bills:

S. 1959. An act to amend the National Labor Relations Act, as amended, and for other purposes; and

S. 2231. An act to effect entry of a minor child adopted or to be adopted by a United States citizen.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. LEHMAN:

S. 2246. A bill to amend the Public Health Service Act to authorize greater assistance to the States in extending and improving health services for the prevention and reduction of chronic diseases;

S. 2247. A bill to amend the Public Health Service Act to authorize grants to the States in extending and improving diagnostic outpatient health services; and

S. 2248. A bill to authorize loans to assist in the establishment of clinics or medical groups designed to afford improved diagnostic service or improved diagnostic and curative service; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. LEHMAN when he introduced the above bills, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2249. A bill for the relief of Bianca-maria Cori; to the Committee on the Judiciary.

By Mr. KERR:

S. 2250. A bill for the relief of Giovannina Echelle; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 2251. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the decentralization of certain Government personnel, and for other purposes; ordered to be placed on the calendar.

(See the remarks of Mr. McCLELLAN when he reported the above bill, which appear under a separate heading.)

By Mr. MAYBANK:

S. 2252. A bill to clarify the act of August 17, 1950, providing for the conversion of national banks into and their merger and consolidation with State banks; ordered to be placed on the calendar.

(See the remarks of Mr. MAYBANK when he reported the above bill, which appear under a separate heading.)

By Mr. MOODY:

S. 2253. A bill for the relief of Lina Naim Kasnasralla; to the Committee on the Judiciary.

By Mr. HILL:

S. 2254. A bill to authorize the Reconstruction Finance Corporation to make loans for the construction of newsprint plants; to the Committee on Banking and Currency.

By Mr. JENNER:

S. 2255. A bill to provide that records made by public officers and employees shall be the property of the people and making unlawful failure or refusal to open such records to the public and the American press; to the Committee on the Judiciary.

By Mr. JOHNSON of Colorado:

S. 2256. A bill for the relief of certain persons who, while serving as members of the Army Nurse Corps, were commissioned as officers in the Army of the United States but were not paid the full amounts of pay and allowances payable to officers of their grade and length of service;

S. 2257. A bill for the relief of Emma Pomeroy Von Lewinski;

S. 2258. A bill for the relief of Camilla Marie Gutierrez; and

S. 2259. A bill for the relief of Nariko Kato and her minor daughter, Mariko Kato; to the Committee on the Judiciary.

By Mr. HENDRICKSON:

S. 2260. A bill for the relief of Nick Martin Morin; and

S. 2261. A bill for the relief of Samuel, Agnes, and Sonya Lieberman; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself and Mr. McCARRAN):

S. 2262. A bill to validate certain payments for accrued leave made to members of the Armed Forces who accepted discharges for the purpose of immediate reenlistment for an indefinite period; to the Committee on Armed Services.

By Mr. HENDRICKSON (for Mr. DIRKSON):

S. J. Res. 108. Joint resolution proposing an amendment to the Constitution of the United States relative to taxes on incomes,

inheritances, and gifts; to the Committee on the Judiciary.

IMPROVEMENT OF PUBLIC HEALTH

Mr. LEHMAN. Mr. President, I introduce for appropriate reference three bills dealing with matters relating to the improvement of the public health, and I ask unanimous consent that a statement I have prepared explaining the bills be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred, and, without objection, the statement will be printed in the RECORD.

The bills introduced by Mr. LEHMAN were read twice by their titles and referred to the Committee on Labor and Public Welfare, as follows:

S. 2246. A bill to amend the Public Health Service Act to authorize greater assistance to the States in extending and improving health services for the prevention and reduction of chronic diseases;

S. 2247. A bill to amend the Public Health Service Act to authorize grants to the States in extending and improving diagnostic outpatient health services; and

S. 2248. A bill to authorize loans to assist in the establishment of clinics or medical groups designed to afford improved diagnostic service or improved diagnostic and curative service.

The statement presented by Mr. LEHMAN is as follows:

STATEMENT BY SENATOR LEHMAN

I regard these measures as being of great importance to the general welfare and as essential to our national security.

All three measures seek, in effect, to shorten the lag between medical science and medical care, to narrow the gap between what our medical scientists know about detection and treatment of illness and the degree to which the benefits of this knowledge are available to sick people.

One of these bills would provide \$10,000,000 a year to be used by the public health service for grants-in-aid to the States and localities for the prevention of chronic illness, and to minimize suffering by making available as promptly and as widely as possible the achievements of medical science.

Another bill would authorize \$25,000,000 in 1952, and \$50,000,000 annually thereafter for grants for the purpose of maintaining more adequate out-patient clinics in hospitals and health centers, for the early detection of diseases, for referral of persons found to be suffering to appropriate medical personnel, hospitals, clinics, and agencies, and for more adequate treatment, home care services and community planning for the ambulatory sick.

The third bill is designed to encourage the development of medical practice of the highest quality on a group basis through the provision of loans for the acquisition and equipment of facilities and for the maintenance and operation of clinics and medical groups designed to afford improved diagnostic and curative services.

It has been said that 328,000 people die each year whose lives science knows how to save. These are deaths that could have been prevented if every person in the country were assured the health and medical services that he needs. Medical science has made great strides in the diagnosis, treatment, and control of illness. It is necessary to make sure that there is equal progress in making the benefits of medical science available to sick people.

Many factors limit the degree to which these benefits are available to the people who

need medical care. One is the ability of people to pay for medical care. Another is the shortage of medical personnel. Failure to achieve the fullest utilization of scarce personnel and facilities is another. We are handicapped, too, by a lack of operational experience with devices and arrangements for making medical care and medical facilities available to the people.

These three bills that I have introduced today would not solve the total problem of this Nation's health deficit. But they would make it possible for many sick people to see a doctor who might not otherwise do so. Diagnosis and treatment would become available to thousands of people who otherwise might not have them. The enactment of this legislation would increase our scientific knowledge, because the more people that we treat and cure and restore to social usefulness, the more we learn about cures and treatments and rehabilitation.

And our medical-care know-how and operational experience would be increased, so that we would have a surer and more reliable knowledge of what kinds of medical care arrangements and institutions can most economically and most efficiently carry out the purposes of conserving the Nation's health. As a result of this experience, each future dollar appropriated by this Congress to promote health and medical care would bring more efficient service to a larger number of people.

Chronic illness—cancer, diabetes, heart disease, rheumatism, arthritis, and other disabling conditions—is now the major health problem of the American people.

It has been estimated that the toll of chronic illness costs this Nation about \$11,000,000,000 every year in lost production. This does not take into account the material and psychological cost to individuals and families or the increased load which is consequently placed upon public assistance and private charity.

The great success of medical science during the last half century has resulted in lengthening the average life span of the American people by many years. If present trends continue, about 40 percent of our people will be in the middle and old-age group within 30 years. As a consequence, there is every reason to believe that the magnitude of the chronic illness problem will become even greater in the next few decades.

Thus, in the interest of the well-being and happiness of the people and the economic vitality of the Nation, it is essential that we develop and mobilize the means and expedients for controlling chronic illness and for making the benefits of medical science available to those who are ill.

Moreover, in the long-range mobilization picture, it is important that adequate provision be made for preserving and improving the health of the people of the United States as a basic national resource, just as it is essential that we promote and develop to the maximum degree possible the productive facilities of our industry, agriculture, and commerce. Let me expand this just a bit. Our human resources are perhaps our most limited resources. We have 160,000,000 people as compared with China's 460,000,000, India's 350,000,000, and Russia's 300,000,000. Our productivity per man hour is the greatest in the world and we strive constantly to increase productivity per man-hour. We must also strive to conserve and increase the numbers of men and women who are in good health and available for production and for service.

When General Eisenhower returned from Europe at the end of World War II, he was deeply concerned about this problem of human resources. Because of this concern, he brought together at Columbia University men of many backgrounds and talents to

focus their thinking on this problem. The results of these Columbia studies and of other similar ones now being undertaken with the support of the Ford Foundation will be very useful to us in defining the details of this problem more clearly. They have already pointed up the underlying danger of a health deficit which it is our responsibility to anticipate and to prevent.

In the days ahead we will need to strive very hard to sustain this Nation's accustomed standard of living and at the same time to sustain the degree of preparedness necessary for security. We can do so only if we continue to improve and to conserve the muscles and the nerves that will be required for this effort.

The Nation's good health is not expendable at any time, least of all in a time of emergency. The things that I propose that we do now are not dramatic. They are in fact rather prosaic, but they are things that we can do immediately and at a price that, as good husbands, we should manage to pay out of the Nation's housekeeping money in order to insure that the members of America's families will have the good health to occupy their place at the machines and workbenches, to till the fields, to manage the households, and to guard the ramparts.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service;

One hundred and twenty-one postmasters.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. HILL:

Article entitled "The Nation Marches Forward," written by him and published in the October 1951 issue of the American Vocational Journal, official organ of the American Vocational Association, Inc., discussing the necessity to prepare for defense against attack by Russia from without and against inflation from within.

By Mr. LODGE:

Statement entitled "Casimir Pulaski, Soldier of Liberty," broadcast by him recently over the radio, regarding the celebration of Pulaski Day on October 11, 1951.

By Mr. WILEY:

Statement prepared by him opposing the President's Executive order for the censoring of news, together with a letter addressed to Senator WILEY by John A. Creviere, of De Pere, Wis., dated October 8, 1951, and an editorial from the Chicago Daily News, both on the same subject.

By Mr. HUMPHREY:

Article entitled "The Missouri: We Need Unification," written by him and dealing with the establishment of a Missouri Valley Authority.

Editorial entitled "Defeating Our Purpose," published in the New York Times of September 5, 1951, relating to racial segregation at the TVA during a visit of a group under the exchange-of-students program.

By Mr. ROBERTSON:

Address entitled "A Banker Looks at His Supervisor," delivered by C. Francis Cocke, vice president of the American Bankers Association, before the annual meeting of the National Association of Supervisors of State Banks, in St. Louis, Mo., September 27, 1951.

By Mr. UNDERWOOD:

Address delivered by Dr. William Jennings Price, of Danville, Ky., on the occasion of the presentation to Kentucky of the first post office at Danville, as published in the Danville Advocate, together with the introductory note by the editor.

By Mr. MURRAY:

Editorial entitled "Uterior Motives," published in the Kansas Farm Bureau News of August 1951, regarding the proposed appropriation for the Tuttle Creek Dam in Kansas.

Article entitled "To Spend \$75,000 Per Square Mile To Catch Small Part of Rain-fall," published in the Eureka (Kans.) Herald of August 23, 1951, regarding the erection of a dam on the Verdigris River, Kans.

By Mr. HOEY:

Letter addressed to him by Mrs. Fay Mashburn, of Gneiss, N. C., regarding conditions in the United States.

By Mr. SCHOEPPPEL:

Article entitled "Unregistered Bull in a Hotel Lobby," written by a contented cowman and published in the West Texas Livestock Weekly of September 27, 1951.

Article entitled "Defense of the Dollar," from the Topeka Daily Capital of September 16, 1951.

By Mr. O'CONOR:

Article entitled "Big Man Does Things in a Big Way," written by Francis P. Douglas and published in the Washington Star of October 4, 1951, a tribute to Jesse Larson, General Services Administrator.

By Mr. MALONE:

Editorial entitled "Our Emergency Economy," published in the Erie (Pa.) Times of August 27, 1951.

Editorial entitled "We Call Them Allies," from the Portland (Maine) Express of September 1, 1951.

By Mr. THYE:

Article entitled "Secrecy Order Is Threat to All Our Basic Rights" written by Carroll Binder, and published in the Minneapolis Sunday Tribune of October 7, 1951.

Editorial entitled "Beef Control," published in the St. Paul Pioneer Press of October 8, 1951.

Article entitled "New Book Puts Stassen in Spotlight for 1952," by Charles Lucey, published in the Washington Daily News of October 11, 1951.

By Mr. MOODY:

Editorial entitled "Halting a Black Market," published in the St. Louis Post-Dispatch of October 1, 1951, relating to the threat of a black market in meat.

Review by Avery Craven, published in the New York Herald Tribune, of the book entitled "Lewis Cass, the Last Jeffersonian," by Frank B. Woodford.

ONE HUNDRED AND SEVENTY-SECOND ANNIVERSARY OF THE DEATH OF GEN. CASIMIR PULASKI

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to make a statement for not to exceed a minute and one-half.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, today, October 11, 1951, marks the one hundred and seventy-second anniversary of the death of Gen. Casimir Pulaski, one of history's great fighters for freedom. General Pulaski distinguished himself by his valor, his military genius, and his tireless zeal in the pursuit of liberty and of happiness for his people.

Unable to achieve these ends in his homeland, he crossed the seas and died in an effort to achieve them for America. For many decades General Pulaski's name has been held in the highest esteem because of his devotion to the cause of freedom in which we stand embattled today.

When I was Governor of Massachusetts, I remember the pleasant talk I had with three Polish pilots who were then fighting with the British. They had been prisoners first of the Russians and then of the Germans. They came from Lwów and had escaped by various means to England. As we talked one of these boys said to me, "Would you like to have your city of Boston presided over by a man who could not talk your language, who did not understand your customs or your history, and who had no feeling whatever for the aspirations of your people?" "Well," he continued, "that is exactly what has happened to me in my home city today." At that time I was not personally familiar with the conditions in his home city nor can I pretend to be today, but it is clear that the tyranny against which these young Poles were then fighting was very little different from that under which the freedom-loving people of Poland exist today. Their situation, their suffering and their aspirations should certainly make those of us outside the iron curtain think long and deeply.

We know well that today there are thousands upon thousands of Polish people within the boundaries of Poland who have known and who love freedom, who are hard-working, self-respecting citizens, and who although they are under the aggressor's yoke are yearning for an opportunity to work and fight for freedom as did General Pulaski so many years ago. These people deserve our help and if we are to help them with real effectiveness, it is essential that this Nation continue to build its strength to a degree that will deter any aggressor, and that will give hope—real hope—to those who for so many years now have been denied genuine freedom.

On this one hundred and seventy-second anniversary of the passing of Gen. Casimir Pulaski, we will do well to remind ourselves of the ideals for which he fought and died, this man to whom freedom was a lifetime objective, not for himself alone, but for others. I am proud and happy to join with the thousands of citizens of Massachusetts who are of Polish origin or descent in the observance of this anniversary of the death of one of freedom's greatest heroes.

Mr. O'CONOR. Mr. President, today, October 11, is a day of special significance to every patriotic American, and particularly to those among us who are of Polish birth or ancestry. It marks the one hundred and seventy-second anniversary of the death of Count Casimir Pulaski, a renowned soldier of the American Continental Army who left his native land and crossed the ocean to assist the infant Colonies in their struggle for freedom.

That by his valor and military qualifications he attained the rank of briga-

dier general in the Continental Army before making the supreme sacrifice of his life for our country has won for him an enduring place among the revered military heroes of our land.

To the thousands of patriotic Americans who were born in or whose parents or forebears came from Poland, he has always been a symbol of the love and devotion which all these splendid citizens of our land have for the United States.

In these troubled times, when Poland is suffering under the control of a Communist dictatorship, observance of General Pulaski Day is of special importance because it brings so thoroughly into focus the comparison between life and liberty in this land of freedom and the degradation and slavery to which Poland is now subjected by its ruthless communistic masters.

With the patriotic achievements of Count Pulaski fresh in all minds today therefore it is thoroughly appropriate that we extend to all our loyal fellow citizens of Polish birth or ancestry the thanks of a grateful Nation and the heartfelt wish that their own homeland may soon again be rescued from the blight of Communist oppression.

POWER DAM AT ROANOKE RAPIDS, N. C.

Mr. HOEY. Mr. President, I have had occasion frequently to refer to the action of Hon. Oscar Chapman, Secretary of the Interior, in hindering and delaying the construction of a power dam at Roanoke Rapids, N. C., by the Virginia Electric & Power Co. It is a matter of common knowledge that additional electric power is needed in eastern North Carolina, and Mr. Chapman has loudly proclaimed this need, but he has exerted all the influence and power of his position to try to keep the people of eastern North Carolina from obtaining this much-needed power because he wants the Government to build this power dam instead of a private company. He admits the need of the power and warns the country about power shortage, but he is unwilling to have that need met unless it can be provided by the Government and unless the taxpayers' money is used for that purpose.

The Federal Power Commission granted the application of the Virginia Electric & Power Co. to build this dam, and Secretary Chapman has fought the matter for nearly 2 years and continues to fight it both before the Federal Power Commission and in the courts.

The examiner of the Federal Power Commission decided against him. The Federal Power Commission unanimously decided against him. Now the United States Court of Appeals for the Fourth Circuit has unanimously decided against him, but he is considering carrying it to the United States Supreme Court.

The opinion of the United States Court of Appeals was delivered by Hon. John J. Parker, who is presiding circuit judge and who is a resident of North Carolina. This opinion was delivered on October 1, 1951.

The interests of the people of eastern North Carolina is so great in this matter that a delegation of more than 40 citizens—businessmen, farmers, merchants,

doctors, and lawyers—paid their own way and made a trip to Washington and called upon Secretary Chapman to try to dissuade him from delaying this matter any longer, and urging that he abide by the decision of the court and let them have this dam built and obtain this power which they need. So far he has not made a definite announcement as to what he will do.

I am submitting herewith a part of the opinion rendered by Judge Parker for himself and the other circuit judges, which illustrates the utter lack of any legal basis for the action of Mr. Chapman, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

These are petitions by the Secretary of the Interior and a cooperative association engaged in supplying electricity to its members, asking that we review and set aside an order of the Federal Power Commission granting a license to the Virginia Electric & Power Co. to construct a dam at Roanoke Rapids, N. C., some distance down the Roanoke River from the Government project at Buggs Island. Petitioners contend that the Roanoke Rapids project was removed from the licensing power of the Commission by reason of the comprehensive plan for the development of the Roanoke River Basin approved by Congress in the adoption of the Flood Control Act of 1944; that the Commission is precluded from granting the license because of its approval of the comprehensive plan; and that, at all events, the Commission transcended its authority and abused its discretion in granting the license because the project as licensed was substantially different from the project as set forth in the plan approved by Congress, because it was not economically feasible and because it involved the surrender to a private corporation of valuable public power rights. All of these contentions were rejected by the Commission, and in addition the right of petitioners to raise the contentions was questioned on the ground that neither petitioner is a party aggrieved within the meaning of the statute, providing for review of the Commission's order, 16 U. S. C. 825 L (b).

Four questions are presented for our consideration: (1) Is either of petitioners an aggrieved party within the meaning of the statute providing for review? (2) Has Congress withdrawn the proposed development at Roanoke Rapids from the licensing power of the Commission? (3) Is the Commission precluded from granting the license here questioned by reason of its approval of the comprehensive plan for the development of the Roanoke River Basin? And (4) has the Commission transcended its authority or abused its discretion in granting the license? We think that all of these questions must be answered in the negative.

1. STANDING OF PETITIONERS TO SUE

Review of the order of the Commission is asked under 16 U. S. C. 825 L (b), which allows review upon the petition of "any party . . . aggrieved by an order issued by the Commission." While petitioners were permitted by orders of the Commission to intervene in the proceedings before that body, this was upon condition that such permission not be construed as recognition that they might be aggrieved by any orders entered in the proceeding. The Solicitor General gave his permission that the Secretary of the Interior file a petition for review of the Commission's order; but it is clear that this could not confer any right to seek the review unless the Secretary is a party aggrieved within the meaning of the statute.

The inquiry then is whether either the Secretary or the cooperative association can be held to be aggrieved by the order granting the power company the license to construct the dam at Roanoke Rapids.

The only grievance which the Secretary puts forward is that, if the power dam were built by the Government, he would have the right to sell the electric power produced; and the only grievance asserted by the cooperative association is that, if the Secretary should sell the power, it would have a preference in the right to purchase same. The language of the statute relating to the matter is as follows (58 Stat. 890):

"SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years. Preference in the sale of such power and energy shall be given to public bodies and cooperatives."

It is perfectly clear that this statute confers no right or interest in any power project or its development, or any responsibility with regard thereto, upon the Secretary of the Interior, or upon the cooperatives mentioned; but merely provides how the surplus power developed at Government projects shall be disposed of. Whether a project shall be developed by the Government or under license by private enterprise is a matter which Congress has committed, not to the Secretary or to cooperatives who may desire to purchase power from him, but to the discretion of the Commission. Section 7 (b) of the Federal Power Act provides:

"(B) Whenever, in the judgment of the Commission, the development of any water resources for public purposes should be undertaken by the United States itself, the Commission shall not approve any application for any project affecting such development, but shall cause to be made such examinations, surveys, reports, plans, and estimates of the cost of the proposed development as it may find necessary, and shall submit its findings to Congress with such recommendations as it may find appropriate concerning such development."

That the United States, representing the people of the country, may have an interest in the construction of a power project does not confer upon the Secretary of the Interior any authority to go into court for its protection. The safeguarding of that interest has been confided to the Power Commission; and before a member of the Cabinet may attack the Commission's action before the courts he must be able to point to some special interest for which he is charged with responsibility that may be adversely affected by the action attacked. The only responsibility of the Secretary relates to the disposal of surplus power from Government projects; and no duty or responsibility with regard thereto can possibly arise until the Government has authorized the project and entered upon its construction.¹ Until then he has

no more duty or responsibility in this connection than has the Postmaster General. A fortiori the cooperative association, whose only possible interest is to purchase power which the Secretary may sell, has no such right, duty or responsibility with respect to the construction of a power project as would give it standing in court to question an order of the Commission. No case has been cited which supports the right of either the Secretary or the association to ask review of the Commission's order, and we know of none. For cases holding generally that some right or interest of a complaining party must be invaded to justify him in asking relief in court, see *Alabama Power Co. v. Ickes* (302 U. S. 464); *Federal Communications Commission v. National Broadcasting Co.* (319 U. S. 239); *U. S. Cane Sugar Refiners v. McNutt* (2 Cir. 138 F. 2d 116).

There is nothing in *United States v. Interstate Commerce Commission* (337 U. S. 426), which supports the position of petitioners. That case holds merely that suit by the United States to protect its interests is not precluded merely because the suit must be brought against a governmental agency. Nothing is said to indicate that an officer of the Government may go into court against such agency to protect the public's interest with respect to a matter as to which he is charged with no duty or responsibility.

For the reasons stated, we are of opinion that petitioners are not parties aggrieved within the meaning of the statute and consequently have no standing in court to ask that the order of the Commission be reviewed or set aside. Assuming, however, that they have such standing, we do not think that they have made a case entitling them to relief, since we are of opinion, for reasons which we shall now examine, that the granting of the license here in question was within the Commission's power and that there is no basis for holding that the discretion vested in it by law was not properly exercised.

Mr. HOEY. Herewith follows a discussion of the power and authority vested in the Federal Power Commission to grant the license, followed by a very able and illuminating presentation of both the facts and the law covering the entire case. It is a most convincing opinion and is written in Judge Parker's best style.

After reviewing the facts and citing numerous authorities showing that the Congress did not intend to preempt the whole field on the Roanoke River for Government development and denying development by private companies, the court makes this final analysis of the situation which is both convincing and conclusive:

It is argued that the granting of the license to a private company involves the surrender of valuable power rights belonging to the public, because it is said that the Government could obtain the capital necessary for development at a low interest rate and could supply current at a low cost to the users of electricity. The question as to whether a power project should be licensed for construction by private enterprise or constructed by the Government itself is one which, as we have seen, Congress in section 7 (b) of the Federal Power Act has entrusted to the judgment of the Commission; and the Commission has given consideration to the question and has decided it adversely to the contention of the petitioners. Its findings with respect to the matter are as follows:

"(57) The record in this proceeding does not provide a proper or sufficient basis for judgment or a finding under section 7 (b) of the act that development of the water resources at Roanoke Rapids should be undertaken by the United States itself or for the submission of such findings and a recom-

mendation to Congress to such effect, as provided in such section.

"(58) The evidence received does not show that the Roanoke Rapids site would be developed at any time by the Federal Government, should the pending application for license be denied. Such denial would of course permit the water, which the applicant plans at once to utilize, to continue to be wasted to the sea."

The Chief Examiner of the Commission, in his report, which was approved by the Commission, said:

"All arguments for recommendation for Federal development would seem to be premised upon an assumption for which no basis can be found in the record—that the United States will in fact build Roanoke Rapids within some reasonable, foreseeable time, if no Federal license is issued to a private or non-Federal applicant. The contrary appears to be the fact. The probability is that so far as the United States is concerned, the water resources at Roanoke Rapids are destined to be undeveloped and unutilized for a long time to come. It is not believed that such wastage or nonutilization of water resources can be in the public interest, particularly when there is a need for the energy in the area and a private developer with private capital stands ready, willing, and able to utilize them, with the protection of the public interest furnished by the terms and conditions of a Federal license."

Little need be added to what was said by the Commission and the Chief Examiner. The fact that the cost to benefit ratio for Roanoke Rapids is higher than that of the other projects in the general plan does not mean that private enterprise is being allowed to profit at the expense of the public. Roanoke Rapids is a straight power project, and its high ratio is based upon its estimated power production, increased as it will be, by the headwater benefits from Buggs Island. If Roanoke Rapids is licensed for private development, however, these headwater benefits will be taxed in favor of the Government as owner of Buggs Island and against the Roanoke Rapids project, so that the public will be compensated for any benefit that results to Roanoke Rapids from the Buggs Island construction. Surely it is in the public interest that this be done rather than that the potentialities of Roanoke Rapids remain undeveloped and the Government lose the compensation for the headwater benefits which would accrue from its development.

The proposed development will involve the investment of some \$27,000,000 by the power company. It will have a total installed capacity of 91,000 kilowatts. The annual value of its capacity and energy will be around \$400,000 over and above annual costs. All of this is being lost so long as the project is not constructed; and its construction, even though by a private enterprise, adds just that much to the wealth of the country and the available electrical energy, so greatly needed in this period of national emergency. To permit its construction as provided by the license, will surrender no public assets to anyone but will merely permit the power company to develop the property which it has already acquired for power purposes and thus utilize a source of power now being wasted. The property will be operated in the public interest and the charges for power will be fixed by the Commission, as provided in the power act. The United States will be paid for headwater benefits from Buggs Island around a quarter of a million dollars a year and will have the right to acquire the project at the end of the term of the license in accordance with the terms of that act. In this situation, it cannot reasonably be said that the Commission has abused its discretion and is surrendering valuable rights of the public because it does not refuse a license for construction by private enterprise of this proj-

¹ The Secretary of the Interior has, in fact, no responsibility whatever with respect to the disposal of power produced by any project until the Secretary of the Army has certified that in his opinion it is not needed in the operation of the project.

ect which Congress has shown no intention of constructing.

For the reasons stated, the petitions asking that the order of the Commission be set aside will be denied.

Mr. HOEY. I have omitted from the above much of the opinion, but all of it is to the same effect and represents the reasoned judgment and sound wisdom of a very fine circuit court. It is certainly to be hoped that the Secretary of the Interior will realize, as the court very clearly says, that he has nothing more to do with this matter than the Postmaster General would have or any other official of any branch of the Government. In view of this decision, it is hard to see how he would be justified in continuing to deny the people of North Carolina the power which he admits they so much need merely because he wants the taxpayers to furnish the money to build the dam instead of letting a private company build it, when the rates will be regulated and the public protected as fully and completely as if the Government were making the development. Actions of this kind on the part of Government officials is a clear explanation of why the public is not too favorable to public power and why they are opposed to having the Government enter any further into the field of private enterprise.

REMOVAL OF TEMPORARY MARKERS OVER GRAVES OF WORLD WAR II DEAD IN NATIONAL CEMETERY AT HONOLULU

Mr. MAYBANK. Mr. President, I desire to place in the RECORD a short statement on behalf of the American Battle Monuments Commission, prepared by Col. C. B. Shaw, in charge of the Washington office. The substance of the statement is that it has no authority and has had nothing to do with what has happened in the National Cemetery in Honolulu regarding the removal of temporary markers. I am told by the American Battle Monuments Commission that it is purely a matter for the military authorities to consider. The Commission and others have received communications with reference to the subject.

I ask unanimous consent that the statement be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I understand that Members of the Senate, and of the House also, are receiving many communications protesting the recent removal of the temporary markers over the graves of the World War II dead in the National Cemetery at Honolulu, and it will be helpful to them, perhaps, if I point out that this is an Army matter.

The American Battle Monuments Commission is responsible only for our military cemeteries in foreign countries and it is erecting over each of the graves in these cemeteries a permanent white marble Cross or Star of David. Under the law, the Commission has no functions or responsibilities whatsoever in the national cemeteries in the United States and its Territories and possessions. These latter are under the jurisdiction of the Department of the Army and I would suggest that Senators receiving protests regarding the action of the Army authorities in Hawaii and who desire further informa-

tion on the subject address their inquiries to the office of the Quartermaster General.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 39) favoring the suspension of deportation of certain aliens, which was, on page 3, after line 8, insert:

A-7130337, Bach, Nathan.
A-7130336, Bach, Lena nee Winerlok.
A-5950016, Diakatos, Androloannis.
A-7190920, Yatrakis, Thekia George nee Vardakas.
A-7190919, Yatrakis, George Petros.
A-6474461, Zwick, Samuel or Wick.
A-7184995, Iny, Frank Jacob.
A-7184996, Iny, Muzli Masri.
A-6811549, Heidmeier, Elfriede.
A-6698695, Berlonghi, Ercole.
A-6698706, Berlonghi, Anese nee Brambilla.
A-7392825, Easterling, Ilda Marie Chislaine nee Finet.
A-3686108, Hu, Seng-Chiu.

Mr. McCARRAN. Mr. President, this is a concurrent resolution relating to the suspension of deportation of certain aliens pursuant to law. The law provides that the Attorney General may suspend the deportation of certain aliens but he must report his action to the Congress for affirmative approval.

Senate Concurrent Resolution 39, after it had passed the Senate, was amended in the House. The House added 13 cases to the concurrent resolution. We have checked these 13 cases and find them worthy of approval. Accordingly, I move that the Senate concur in the House Amendment to Senate Concurrent Resolution 39.

Mr. SALTONSTALL. Mr. President, I understand that the Senator from Nevada states that these 13 cases are just as worthy of consideration as the other cases which the Senate has already approved.

Mr. McCARRAN. That is correct, so far as we can determine.

Mr. SALTONSTALL. I have no objection.

The VICE PRESIDENT. The question is on the motion of the Senator from Nevada to agree to the amendment of the House.

The motion was agreed to.

AUTOMOBILES FOR CERTAIN DISABLED VETERANS—CONFERENCE REPORT

Mr. LEHMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1864) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans who served during World War II, and persons who served in the military, naval, or air service of the United States on or after June 27, 1950, and for other purposes. I ask unanimous consent for the immediate consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read.

(For conference report, see House proceeding of October 5, 1951, p. 12720.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the report was considered and agreed to.

Mr. LEHMAN. Mr. President, I ask unanimous consent that a brief statement prepared by me in regard to the conference report be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR LEHMAN

The House of Representatives approved the conference report on this bill on Friday of last week.

S. 1864, as it passed the Senate unanimously on August 9, provided for the extension for three more years of the authority of the Administrator of Veterans' Affairs to pay for the purchase of automobiles for World War II veterans who have suffered the loss or the loss of use of a leg. This measure also extended the same benefits to veterans of service in the Armed Forces who have seen active duty on or after July 27, 1950.

The House of Representatives amended this bill by inserting the language of H. R. 4233, which it had passed on June 13. This House bill would have granted automobiles to veterans of World War I, World War II, and of the Korean conflict, who suffered either the loss or the loss of use of an arm or a leg, or who are blind. S. 1864, as the House amended it, also permitted the payment of \$1,600 cash in lieu of the automobile.

The conference report has wider coverage than the original Senate bill, but is considerably less than the House-amended version. While the Senate conferees agreed to include under this legislation veterans who suffered the loss or loss of use of an arm or who are blind, the House conferees receded from their insistence on including World War I veterans, and also agreed to eliminate the cash payment provision. This action of the House conferees brings the legislation more in line with recognized concepts of veterans' rehabilitation.

This measure would permit the Administrator of Veterans' Affairs to authorize payments on the purchase of automobiles for World War II veterans and veterans of the Korean conflict who have suffered the loss or loss of use of an arm or leg, or who are blind. It also changes the provision which requires the veteran to be able to operate the vehicle, by permitting him, if he is physically unable to drive, to purchase one so that it may be operated for him by another person.

I believe this conference report represents a fair compromise of the differences between the House and Senate versions of this desirable legislation.

AMENDMENT OF ATOMIC ENERGY ACT OF 1946

The Senate resumed the consideration of the bill (S. 2233) to amend the Atomic Energy Act of 1946, as amended.

Mr. McFARLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following members answered to their names:

Bennett	Chavez	Eaton
Brewster	Clements	Ferguson
Bridges	Connally	Flanders
Butler, Md.	Cordon	Frear
Butler, Nebr.	Dirksen	Fulbright
Cain	Douglas	George
Capehart	Duff	Green
Carlson	Dworshak	Hayden
Case	Eastland	Hendrickson

Hennings	Magnuson	Robertson
Hickenlooper	Malone	Russell
Hill	Maybank	Saltonstall
Hoey	McCarran	Schoeppel
Holland	McClellan	Smathers
Humphrey	McFarland	Smith, N. J.
Hunt	McKellar	Smith, N. C.
Ives	McMahon	Sparkman
Jenner	Millikin	Stennis
Johnson, Colo.	Monroney	Taft
Johnston, S. C.	Moody	Thye
Kefauver	Morse	Underwood
Kerr	Murray	Watkins
Knowland	Neely	Welker
Langer	O'Connor	Wiley
Lehman	O'Mahoney	Williams
Lodge	Pastore	Young

Mr. MCFARLAND. I announce that the Senator from New Mexico [Mr. ANDERSON], and the Senator from Iowa [Mr. GILLETTE] are absent by leave of the Senate.

The Senator from Connecticut [Mr. BENTON], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], and the Senator from Louisiana [Mr. LONG] are absent on official business.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Louisiana [Mr. ELLENDER] is absent because of a death in his family.

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Missouri [Mr. KEM] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Wisconsin [Mr. McCARTHY] and the Senator from South Dakota [Mr. MUNDT] are absent by leave of the Senate.

The Senator from Ohio [Mr. BRICKER], the Senator from California [Mr. NIXON], the Senator from Maine [Mrs. SMITH], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The VICE PRESIDENT. A quorum is present.

SHIPMENT OF ARMS AND EQUIPMENT TO GENERAL EISENHOWER

Mr. LODGE. Mr. President, in the New York Times for yesterday, October 10, there appeared an editorial entitled "Sacrifice at Home," which refers to my statement last week that the shipment of arms and equipment to General Eisenhower's forces is seriously inadequate. The New York Times states, flatly, "It is time to make the investigation," which I suggested. I suggested last week that a subcommittee look into the matter of why shipments to General Eisenhower are so inadequate. Because of the vital importance of this matter, I ask unanimous consent that this editorial be printed in the body of the RECORD so that Senators will be reminded of the way in which the United States at present is failing to discharge its responsibilities.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SACRIFICE AT HOME

When so responsible a Senator as HENRY CABOT LODGE, JR., of Massachusetts, states that the shipment of arms and equipment to General Eisenhower's forces from the United States is of "shocking inadequacy," it is time to make the investigation which he suggests. Although the figures on move-

ment of arms are secret, Mr. LODGE says, "they are currently only about one-fifth as large as they should be." The Senator—one not given to wild statements—asserts that "apparently we cannot demand of ourselves enough production to support our own troops and preserve our own peace."

These are serious charges. They strike at a fundamental question: Is this country making as great a productive effort and as great a civilian sacrifice as the political and military conditions require? In his last quarterly report Mr. Wilson spoke of "slippage" in production; yet deliveries of military goods were expected to amount to more than \$5 billions, one-third more than the preceding quarter and four times the rate of a year ago. But impressive as such figures are, doubt remains as to whether they are nearly as large as the national interest truly demands, and whether we are not still ambling along on a "guns and butter" economy. The figure of 1.1 million passenger cars for the current quarter represents a cut of one-third below the 1950 average, but it is still at a rate so high that it has been exceeded only in 3 years of our automobile history.

The very fact that "no shortages of consumer goods yet exist" is in itself an indication that we are not really making the all-out effort that the critical nature of the times demands. There seems to be a tendency among our political leaders to think we can fight a world-wide struggle against Communist imperialism with one hand while with the other we continue to play with the luxuries to which we have become accustomed. It can't be done, and the sooner we realize it the better.

There is one thing of which we are confident. The American people, mindful of our soldiers in Korea, on the Elbe, and in many other troubled areas of the world, will not shrink from sacrifice once they are shown that it is necessary. We think that, as usual, the people are ahead of their leaders and will willingly make whatever effort is necessary to preserve their freedom for future generations.

STRATEGIC USE OF THE ATOMIC BOMB

Mr. LODGE. Mr. President, I ask unanimous consent to be recognized for 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Massachusetts may proceed.

Mr. LODGE. Mr. President, the development of atomic explosives in sizes small enough to be fired as an artillery shell or delivered by relatively small planes raises at once the question of using them to support our troops in Korea. I believe that if they can be used efficiently and profitably that they should be used, and herewith state my reasons.

First, we are hugely outnumbered by the Communists and their satellites in Korea and can, therefore, only hope to meet them on an equal footing by superiority in equipment.

Second, the use of atomic weapons for purely military purposes and solely against military personnel could not possibly justify any moral disapproval of us on the grounds that we are using the atom weapon against civilians.

As a matter of fact, a strong argument could actually be made for using the atomic bomb strategically so as to permit a defensive line of atomic craters to be made at some point across the Korean Peninsula. Such an operation should only be undertaken after all civilians have had ample time to evacuate. Under

such circumstances, this might be an action against which no reasonable objection could be made. No possible objection, however, could be made to using the atomic weapon solely for tactical purposes.

In the third place, let us remember that we have already failed to keep faith with our troops in Korea by our failure to mobilize effectively enough to regain the diplomatic initiative and to put firm pressure on the Kremlin to call off the Korean aggression which I believe they could do if they wanted to do so. We must not fail them further. The use of the atomic weapon could result in the saving of many American lives. It could shorten the war, thereby saving not only American lives, but the lives of everyone concerned. It is, therefore, well worthy of favorable consideration and action if its military feasibility proves to be real.

AMENDMENT OF ATOMIC ENERGY ACT OF 1946

The Senate resumed the consideration of the bill (S. 2233) to amend the Atomic Energy Act of 1946, as amended.

Mr. McMAHON. Mr. President, at no time in the history of this Nation's development of atomic energy has the use of overwhelming care and precision judgment in the control of restricted data been more essential to the common defense and security of the United States. Supremacy in atomic preparedness has become the critical bulwark in our survival as a free people. Information control is a factor basic to such supremacy.

It was with solemn attention to these principles that the law was first framed, and the joint committee, from its inception, has kept the identical principles at the forefront in scrutinizing the Nation's atomic endeavors. The same overriding concern for the common defense and security has dominated consideration of the bill which is now recommended to the Congress.

I wish to emphasize to the Senate that the judgment of the Joint Committee on Atomic Energy on this matter is unanimous; in other words, the nine Members of the House and the nine Members of the Senate constituting the joint committee were in complete and entire agreement as to the wisdom and desirability of proposing this amendment to the act.

In considering the activities of friendly nations that impact directly upon atomic endeavors within the United States, the committee has given intensive attention to an important and complex problem requiring the most responsible and informed appraisal. This problem in all its ramifications involves considerations of secrecy and cannot be detailed here. Without violating secrecy, however, it can be said that the problem includes these aspects: If, for example, certain carefully circumscribed information were made available to another nation, that nation could furnish as a direct result of the information tangible benefits to the United States which would substantially promote our own atomic preparedness. In this type of special situation, moreover, a failure to undertake an arrangement with another nation would mean that the United States will be less well equipped—in measurable

degree—to use atomic energy for defense purposes.

The joint committee has exhaustively explored and weighed the issues thus presented. It particularly took into account the unique benefits obtainable from a speedy determination of basic policy.

After conscientiously evaluating all factors from the perspective gained through half a decade of service within the classified atomic energy field, the members of the joint committee unanimously concluded that an arrangement with another country of the kind just outlined would substantially promote and would not endanger the common defense and security of the United States. They equally concluded that such an arrangement could only be acceptable subject to severe limitations and restrictive conditions.

It is the committee's thoroughly considered judgment that any determination must be confined to cases where the factors involved are plain and compelling and where, in effect, all reasonable and patriotic men with full knowledge of the facts can render a common verdict. The committee sees a clear need for acting to strengthen the atomic preparedness of the United States in the self-interest of the United States.

All concerned, the members of the joint committee, no less than the members of the Atomic Energy Commission, are agreed that the situation should be met by new legislation. The two amendments which the joint committee unanimously recommends are, first, a new subsection (3) to be added at the end of the present section 10 (a), which reads, of course, as it appears in the bill.

The second amendment, a companion, is listed as section 5 (a) (3), and it also appears in the bill, and, in addition, is set forth in the report.

The committee believes that the above amendments are the minimum to assure the attainment of enhanced atomic security and that they contain maximum security safeguards. Before the Atomic Energy Commission could enter into an arrangement involving restricted data with another country under the proposed legislation, certain conditions would have to be met; and then follow 20 conditions, to which I call attention. They appear on page 3 of the report, as follows:

1. The common defense and security must be promoted.
2. They must not merely be promoted but substantially promoted.
3. They must not be endangered.
4. The commission must decide that conditions (1), (2), and (3) have been fulfilled.
5. The commission must so decide unanimously.
6. Any arrangement must be specific.
7. No restricted data on design and fabrication of atomic weapons could be communicated.
8. The arrangement must be made with a country which does not threaten the security of the United States.
9. The restricted data to be communicated must be limited and circumscribed to the maximum degree consistent with the common defense and security objective in view.

10. The commission must adjudge that the security standards of the recipient nation, as applied to the data to be communicated, are adequate.

11. The National Security Council (of which the Secretary of Defense is a member) must make a recommendation in writing.

12. The President must determine in writing that the arrangement would substantially promote the common defense and security.

13. The President must determine in writing that the arrangement would not endanger the common defense and security.

14. The President must include in his written determination the recommendation of the National Security Council.

15. The President must give specific consideration to the security sensitivity of the restricted data involved.

16. The recipient nation must undertake to maintain security safeguards.

17. The President must give specific consideration to the adequacy and sufficiency of such security safeguards.

18. The joint committee must be fully informed for at least 30 days beforehand.

19. The Congress must be in session during these 30 days.

20. In computing the 30 days there must be excluded the days on which either House is not in session because of an adjournment of more than 3 days.

An amendment to section 5 (a) (3) is recommended on parallel grounds, in that the present section imposes a limitation on persons. Section 18 (c), in turn, defines "person" in such a way as to exclude the Commission but to include, for example, a private American contracting firm which might be required to assist in implementing an arrangement as contemplated in the proposed amendment to section 10. Where restricted data are involved, all the conditions and safeguards just described would apply.

The committee of course intends that the section 10 amendment have no retroactive but only prospective application. The meaning of the remainder of section 10 would remain completely unchanged. In particular, the existing technical cooperation arrangement of the United States with Britain and Canada, which has its roots in the wartime partnership between the three countries, remains unaffected.

Just as the proposed legislation would not disturb the powers and the authorities of the Commission, so all other prohibitions, restrictions, and limitations of the act remain in effect. The proposal is directed at special circumstances and deals with these alone.

The joint committee's overriding concern has been and is the security and supremacy of the United States in the atomic energy field. The joint committee unanimously urges the Congress to enact the bill herein reported before adjourning.

Mr. President, I think that that pretty well describes what the Joint Committee on Atomic Energy has recommended to the Senate be done. This bill proposing amendments to the act has received most careful consideration. We have consulted the executive departments. I know of no disagreement upon the part of anyone in the military, in the Atomic Energy Commission, or in the Joint Committee on Atomic Energy as to the wisdom of adopting the amendments

proposed by the bill. So, Mr. President, I hope that the bill will be passed.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for some questions to develop certain phases of this matter?

Mr. McMAHON. I yield to my friend the Senator from Iowa.

Mr. HICKENLOOPER. I may say by way of preface that I support this amendment and am supporting it. I believe that it is a wise move. The point I am about to mention did not come up in committee, and I raise it today with the distinguished Senator from Connecticut for the purpose of having the RECORD made clear.

I was informed yesterday in a round about way, not directly by either of the departments, that the opinion of the Joint Chiefs of Staff had not been ascertained in connection with the feasibility, propriety, or national-security phases of these amendments, and that the opinion of the Military Liaison Committee had not been secured or ascertained.

Yesterday, upon hearing that, I wrote to General Bradley a letter making inquiry on that point. General Bradley is out of the country, but the letter was sent to the Joint Chiefs of Staff. I have had no reply to that letter, except a telephone call saying that formal declaration had not been made by the Joint Chiefs of Staff on the matter; but I do have a letter which was delivered to me a moment ago from Mr. LeBaron, chairman of the Military Liaison Committee to the Atomic Energy Commission, saying the matter had not been formally considered by the Military Liaison Committee. I think undoubtedly the distinguished chairman has had some contact in one way or other with the military through its various branches, and I think it would be very helpful if he would state what the situation is, because I would not want to move further if I felt that this proposal met with opposition on the part of the military, for instance, or if they had some sound reasons for believing that the amendments proposed by the bill should not be adopted. I think it would be well to make clear what the situation is in that respect, and, no doubt, the Senator from Connecticut can do so.

Mr. McMAHON. I think it can be cleared up without any difficulty, and it should be made clear in the RECORD. General Bradley returned home from Tokyo last Thursday morning, and as the Senator knows, he left for Europe, I believe, on Sunday morning. He worked all day in the Pentagon, but he called me about 4:30 in the afternoon and asked me whether he could come to see me. He came about 6 o'clock, and we spent about an hour discussing this matter.

General Bradley is very vigorously in favor of the amendments proposed by the pending bill. In fact, the criticism, if any, which he voiced to me was that he thought perhaps we had not gone quite far enough. I did not ask the General about his specific ideas, nor as to just how far he wanted us to go, because I knew this bill represented certainly the widest kind of amendment that could be obtained at this session of the Congress. Personally I believe that under the bill

the Commission will be able to do everything I want to see them do at this time.

The Secretary of Defense in talking about the matter with the Chairman of the Commission on Atomic Energy has expressed himself as in favor of this bill. I think I can assure the Senator from Iowa that there is not only no opposition, but, on the contrary, the most vigorous and wholehearted approval of the efforts which will culminate in this legislation.

On Sunday, quite by accident, I met General Bradley again, and he mentioned the fact to me that he had talked personally with two Members of the Senate, urging them to get behind this bill and urge its passage. He particularly told me that he had talked with the junior Senator from Georgia [Mr. RUSSELL], chairman of the Armed Services Committee, and that he had expressed to him the hope that the Senator from Georgia would support the bill, in the event that there was any opposition.

So I think I can say to my good friend, the Senator from Iowa, that from top-side to bottomside there has not been a single individual who has voiced any opposition.

Mr. HICKENLOOPER. Then, Mr. President, if the Senator will yield again, merely to clarify the situation further, I may state my position. I know of no objection from the military department, either the military liaison committee or the National Defense Department or Joint Chiefs of Staff, to the passage of this bill. I make the statement that I know of none. Neither do I know of my own knowledge of any affirmative approval on their part. The Senator from Connecticut has been in close touch with this subject, and I wonder whether he can go further and state whether he knows of any objection to this bill on the part of the military liaison committee or the Joint Chiefs of Staff.

Mr. McMAHON. I know of absolutely none. I again say for the RECORD that I believe this proposal has the wholehearted approval of everyone connected with the atomic energy project, either on the civilian or military side.

Mr. HICKENLOOPER. I think that is a reassurance in great measure for the RECORD, and for the Members of the Senate. I wanted to make that clear, because of certain remarks I want to make when the Senator has concluded.

Mr. McMAHON. I yield the floor.

Mr. HICKENLOOPER. Mr. President, I have supported this bill as it finally has come from the committee, for several reasons.

I believe I am aware of circumstances in which the advantage of the United States will be promoted by being able to exchange certain restricted information, in a limited degree, if I may use that term, in connection with our atomic program.

As I think almost every Senator knows, I have been very strongly opposed in the past, and shall continue to be in the future, to placing arbitrary authority in the discretion of any one or two men who, at their own convenience or because of curiosity, could begin to exchange with other nations information on this very vital subject. One of the reasons

of my opposition is that the information is vital. The development of atomic energy may mean the survival of our Nation at some future time. I hope it will never come to that point, but it might very well be that important. Once information is given by us to someone else outside of our jurisdiction, it makes no difference whatsoever what the solemn agreements are in connection with giving the information, it can never be recalled, and it cannot, to all intents and purposes, be reliably controlled. I care not how friendly may be the nation with which we deal, I care not how altruistic their attitude may be, I care not how much they seem to be obligated to us, once we divest ourselves of such information and place it in the hands of another sovereign power, we can neither police it nor control it. Therefore, it is a most serious thing to give away vital atomic secrets, even of a lower scale or category than bomb fabrication, or weapon information.

I have been very careful about supporting any movement that would enlarge the right of our people to give away such information. On several occasions I have been quite active in preventing what I thought was an attempt on the part of some persons to give away information which I thought went far beyond the limitations of our law, and the release of which would be detrimental and prejudicial to our interests.

There have been occasions in the past when our convenience would have been served if we had been able to exchange information more freely, but, by the same token, in my judgment, the danger to our security would have been increased away out of proportion to any convenience we would have received by such an exchange. However, from time to time certain instances may arise where, in my judgment, under carefully safeguarded restrictions, our people should be able to discuss and exchange certain information with others who may have acquired information through divergent processes and which would be very helpful to us.

So I think that under proper restrictions and safeguards we can authorize a slight enlargement of the Atomic Energy Act to permit the exchange of certain information. The act, I believe, is very well safeguarded along that line.

Mr. SALTONSTALL. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. SALTONSTALL. I should like to propound a question to either the Senator from Iowa or the Senator from Connecticut. In the opinion of either Senator will this bill, if it is enacted, increase the security of the United States rather than diminish it? In other words, by passing this bill will we give ourselves greater opportunity for more security in connection with the use of atomic energy and for the advancement of the study of atomic energy than we would have if we did not pass the bill?

Mr. HICKENLOOPER. If I correctly understand the Senator's question, the answer is "yes." But the term "security" is a very loose term. The passage of this bill will put us into a position, under

carefully safeguarded conditions, where we ought from time to time to be able substantially to benefit ourselves in the atomic energy field. By benefiting ourselves in that field, we shall eventually get to the point where one can say, "Yes, it will benefit our security," because the more we develop our ability and the more we gain superiority in our ability to control atomic energy, the greater our security. It is on that basis alone that I would support the bill.

Mr. SALTONSTALL. The Senator has answered my question in the way in which I wanted it answered.

Mr. HICKENLOOPER. Mr. President, I wish to emphasize the fact that this bill amending the act provides for some very careful and important safeguards. Since all governmental activities, whether they be scientific, political, or otherwise, are in the hands of human beings and must be administered by human beings, who rise or fall according to the way they exercise their judgment, we must put the discretion and the administration of the bill into the hands of human beings. We have a Chief Executive, a National Security Board, a Military Liaison Committee, Joint Chiefs of Staff—there are all kinds of officials and agencies who are supported to look after our security. Therefore, the administration of any provision of this kind essentially must be within the discretion, sound judgment, and the patriotic restraint of those who administer it.

So the committee attempted to safeguard it as much as was possible and still leave the way open for reasonable exchange of information. For instance, it is provided that no restricted data can be exchanged, even with the proposed amendment of the law. That is one safeguard.

Another one is very important; at least, it seems important to me. I may say our disagreements in the committee are usually friendly; we look at things a little differently, though we usually get down to a common ground; but there was some objection to one provision, and some of us thought it was very important. If it is wrong, I shall have to take the responsibility for insisting on it, but the bill provides that no exchange arrangement shall be proposed or entered into without the unanimous agreement of the five members of the Atomic Energy Commission. I fully realize that that leaves the decision up to one man. One can block action if he is foolhardy or goes off on a tangent. But, by the same token, it is up to the President to appoint persons who possess reasonable judgment and sound convictions and work in the best interests of the country, and it is up to the Senate to approve such appointments.

I believe that any agreement involving the exchange of vital information should be of such a level of benefit to this country that the five members of the Commission would be unanimous in deciding whether it would be advantageous. That is provided for in the bill. So that, first, there must be a unanimous decision of the five members of the Commission.

Among other provisions, there is the proposal that prior to the confirmation of any agreement with any other coun-

try or group, the matter must be submitted to the Joint Committee on Atomic Energy 30 days prior to the consummation of any such agreement. The joint committee does not have the power to stop any administrative decision of the Commission, but it has a great coercive effect on them. If the joint committee comes to the conclusion that what they propose to do, even though the Commission is unanimous, is not good for the security of the United States or in our own best interests, I feel quite certain that the Commission would not arbitrarily override the opinion of the joint committee. So that is another safeguard.

Mr. SCHOEPEL. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. SCHOEPEL. If the restrictions or safeguards contained in the bill had been in the original act at the time so many scientists from foreign lands were coming here, would we have had the spectacle of some of them securing vital information and then going behind the iron curtain with it?

Mr. HICKENLOOPER. No. I may say that the act presently is more restrictive than the bill would make it. The bill does not tighten up the security. It opens the situation up just a little bit, so far as a limited exchange with foreign countries is concerned, when it would advantage us to make such exchange. I do not believe passage of the bill will affect that situation at all. I think a different element is involved. What the scientists in question did was traitorous to their own countries and to us and to everyone else. It is impossible by legislation to keep traitors from being traitors. They were working under cover and what they did clearly violated the law which was in effect at that time. So that they were and are law violators. To change the law one way or the other would not change their souls or their moral responsibility. They are scoundrels and they will always remain scoundrels. I think there is a limited situation involved.

Another provision is that any such agreement must be submitted to the President, who shall secure the written recommendation of the National Security Council on any proposed agreement. The National Security Council is composed of a distinguished group of highly able American citizens, whose duty it is to look after the basic security of the United States and to make recommendations in certain very important fields. The bill requires that the President shall secure the written recommendation of the National Security Council, and after incorporating in his written finding the recommendation of the National Security Council, the President must find "that the arrangement would substantially promote and would not endanger the common defense and security of the United States."

I feel that those are about as substantial and encompassing safeguards as we can put into the act. I think the bill takes the question of exchange of information regarding atomic weapons

or materials or designs about as far away from the frailties of individual judgment or the judgment of a very few people, as it can be taken, and still leave an opportunity to accomplish what is desired.

As I said a moment ago, there are some who believe that this amendment to the law is too restrictive. They would like to have more latitude and more freedom. So far as I am concerned, there is plenty of freedom, if substantial national advantage is to be secured from an exchange of information. If the advantage and benefit accruing to our country are in such degree as to warrant the exchange, then the exchange should be approved by all five members of the Commission.

It should have the substantial, if not complete, moral approval at least of the Joint Committee on Atomic Energy, and the President's findings incorporating the recommendation of the National Security Council should set forth that fact. I believe our security is buttoned up by the safeguards provided just about as completely as can be done.

I would prefer an affirmative written record of the approval of this amendment by the Department of Defense and by the Military Liaison Committee. I would prefer that it be in the RECORD. However, the chairman made a statement as to his consultation with the Department of Defense. He states that there is no objection raised so far as he knows. I know of no objection to the bill by the Department of Defense. I feel that there is not sufficient ground at this time for any delay in the passage of the measure. I believe it will be helpful and that by its judicious use in the various opportunities which may arise, the proposed law will give us an opportunity to benefit ourselves and not result in harm. If the measure is administered in the spirit in which it is written, in the spirit in which the joint committee approached it, and with an understanding of national security and a zeal to protect it and the secrecy of our process—if it is administered in that spirit by the human beings who will have charge of it, then I feel our national security will not be impaired, and that we will stand a chance of substantial benefit.

Mr. President, I yield the floor.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE PRESIDENT. The question now is on the passage of the bill.

The bill (S. 2233) was passed.

Mr. McMAHON. Mr. President, I should like to call attention to the fact that this is the first major amendment to the act which Congress passed in 1946 to operate the atomic energy project. I think that is a pretty good record. I believe that from time to time, as future developments occur, both in science and in world conditions, there may be rea-

sons for adopting further amendments to the law. But I now wish to pay my tribute to the Senators and the Members of the House of Representatives who in 1946 were able to fashion a piece of legislation which had been designed to carry out behind high walls of secrecy the most momentous manufacturing project in the history of mankind, and so fashioned it in a totally unexplored field that now 5 years have gone by before the necessity for a major amendment has arisen.

THE CALENDAR

Mr. McFARLAND. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of unobjectioned-to bills on the calendar, from the beginning.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. McFARLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McFARLAND. Mr. President, I ask unanimous consent that the order for the quorum call be vacated, and that further proceedings under the call be dispensed with.

The PRESIDING OFFICER (Mr. McMAHON in the chair). Without objection, it is so ordered.

The clerk will state the first bill on the calendar.

SUBSISTENCE AND TRAVEL EXPENSES OF JUDGES—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 32) to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges traveling while attending court or transacting official business at places other than their official stations and to authorize reimbursement for such travel by privately owned automobiles at the rate of 7 cents per mile was announced as first in order.

Mr. McFARLAND. Mr. President, at the request of the Senator from Illinois [Mr. DOUGLAS], I ask that the bill be passed over.

Mr. McCARRAN. Mr. President, may I ask the Senator from Arizona if he has talked with the Senator from Illinois within the past few days? My understanding is that he has no longer any objection.

Mr. McFARLAND. I will consult with him.

Mr. McCARRAN. May the bill go to the foot of the calendar?

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILL PASSED OVER

The bill (S. 618) to prohibit the parking of vehicles upon any property owned by the United States for postal purposes was announced as next in order.

Mr. HENDRICKSON. By request, I ask that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SUBSISTENCE AND TRAVEL EXPENSES OF JUDGES—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 36) to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges while attending court or transacting business at places other than their official station, and to authorize reimbursement for such travel by privately owned automobiles at a rate of not exceeding 7 cents per mile, was announced as next in order.

Mr. McFARLAND. Mr. President, this is the same as Senate bill 32, which was passed to the foot of the calendar.

Mr. McCARRAN. Mr. President, I ask that this bill be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (H. R. 2929) to authorize the Postmaster General to prohibit or regulate the use of Government property under his custody and control for the parking or storage of vehicles was announced as next in order.

Mr. SCHOEPEL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 35) to provide for the appointment of deputy United States marshals without regard to the provisions of the civil-service laws and regulations was announced as next in order.

Mr. PASTORE. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 50) to provide for the admission of Alaska into the Union was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States was announced as next in order.

Mr. RUSSELL and Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 3) proposing an amendment to the Constitution of the United States relative to equal rights for men and women was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (H. R. 1590) for the reimbursement of the S. A. Healy Co. was announced as next in order.

Mr. HENDRICKSON. By request, I ask that this bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2119) to amend sections 544 and 546 of title 28, United States Code, was announced as next in order.

Mr. McFARLAND. Mr. President, I have a request that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

TESTS FOR ALCOHOL IN CONNECTION WITH CERTAIN OFFENSES—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 951) to prescribe the weight to be given to evidence of tests of alcohol in blood, urine, or breath of persons tried in the District of Columbia for certain offenses committed while operating vehicles, was announced as next in order.

Mr. McFARLAND. Mr. President, I have a request that the bill go over. I ask that it be passed to the foot of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

BILLS AND JOINT RESOLUTION PASSED OVER

The bill (S. 1414) for the relief of the E. J. Albrecht Co. was announced as next in order.

Mr. HENDRICKSON. By request, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1376) providing for the dissolution of the Reconstruction Finance Corporation and the transfer of certain functions related to national defense heretofore vested in the Reconstruction Finance Corporation, was announced as next in order.

Mr. McFARLAND. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 172) to amend section 32 of the Trading With the Enemy Act of 1917, as amended, was announced as next in order.

Mr. SCHOEPEL. Mr. President, if there is no objection to the bill, I ask for an explanation of it.

Mr. McFARLAND. Mr. President, I have a request from the senior Senator from New Mexico [Mr. CHAVEZ] that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The joint resolution (S. J. Res. 52) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President, was announced as next in order.

Mr. SCHOEPEL. Over, by request.

The PRESIDING OFFICER. The joint resolution will go over.

The bill (S. 1748) to amend section 32 of the Trading With the Enemy Act, as amended with reference to the designation of organizations as successors in interest to deceased persons, was announced as next in order.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. McFARLAND. I have a request that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF ADMINISTRATIVE PROCEDURE ACT

The bill (S. 1770) to amend the Administrative Procedure Act, and eliminate certain exemptions therefrom, was announced as next in order.

Mr. McFARLAND. Mr. President, if I may have the attention of the Senator from Nevada [Mr. McCARRAN]. Previously I requested that the bill go over because of its length, but I am not going to object to its being passed today if the Senator from Nevada believes that it should be passed on the call of the calendar.

Mr. McCARRAN. I believe the bill should be passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1770) to amend the Administrative Procedure Act and eliminate exemptions therefrom, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 9, after "Sec. 2.", to insert "(a)"; on page 2, after line 14, to insert:

(7) Section 16 of the Rubber Act of 1948 (62 Stat. 108).

In line 17, to change the subsection number from "(7)" to "(8)"; in line 19, to change the subsection number from "(8)" to "(9)"; in line 22, to change the subsection number from "(9)" to "(10)"; in line 24, after "Congress";, to insert "and"; after line 24, strike out:

(10) The paragraph headed "General provisions—Department of Justice" in chapter III of the Supplemental Appropriation Act, 1951 (Public Law 843, 81st Cong.); and."

On page 3, line 6, to reletter the subsection number from "(c)" to "(b)"; in line 12, after the word "proceedings", to insert "In the administration and interpretation of the Administrative Procedure Act, no implication shall be drawn by reason of the repeal by this act of any exemption from the provisions of such act heretofore granted with respect to any agency of the Government or to any functions exercised by any such agency"; and in line 19, to reletter the subsection from "(d)" to "(c)", so as to make the bill read:

Be it enacted, etc., That clause (4) of section 2 (a) of the Administrative Procedure Act is amended to read as follows:

"(4) the functions conferred by the following statutes: the Universal Military Training and Service Act; the Contract Settlement Act of 1944; and the Surplus Property Act of 1944."

SEC. 2. (a) All laws or parts of laws enacted prior to the date of approval of this act which grant exemption from the provisions of the Administrative Procedure Act are repealed, and the following parts of laws are specifically repealed:

(1) Section 302 of the First Supplemental Appropriation Act, 1947 (60 Stat. 918);

(2) Section 601 of the Social Security Act Amendments of 1946 (60 Stat. 993);

(3) Section 6 (a) of the Sugar Control Extension Act of 1947 (61 Stat. 37);

(4) Section 210 of the Housing and Rent Act of 1947 (61 Stat. 201);

(5) Section 301 of the Housing and Rent Act of 1948 (62 Stat. 99);

(6) Section 5 of the Second Decontrol Act of 1947 (61 Stat. 323);

(7) Section 16 of the Rubber Act of 1948 (62 Stat. 108);

(8) Section 7 of the Export Control Act of 1949 (Public Law 11, 81st Cong.);

(9) Section 3 (1) of the International Wheat Agreement Act of 1949. (Public Law 421, 81st Cong.);

(10) The first sentence of section 709 of the Defense Production Act of 1950 (Public Law 774, 81st Cong.); and

(11) Section 305 of the Federal Civil Defense Act of 1950 (Public Law 920, 81st Cong.).

(b) Nothing contained in this section shall be construed to invalidate, or to require any change in, any proceedings conducted by or before any agency of the Government which were commenced prior to the effective date of this section, or to invalidate any action of any such agency taken prior to such date or any action taken after such date in connection with any such proceedings. In the administration and interpretation of the Administrative Procedure Act, no implication shall be drawn by reason of the repeal by this act of any exemption from the provisions of such act heretofore granted with respect to any agency of the Government or to any functions exercised by any such agency.

(c) This section shall become effective on the thirtieth day following the date of its enactment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

Mr. McFARLAND. Mr. President, would the Senator from Nevada mind stating the purpose of the bill?

Mr. McCARRAN. Mr. President, at the New York convention of the American Bar Association, the house of delegates of that organization on September 19 adopted the following resolution:

Whereas the Federal Administrative Procedure Act of 1946 was enacted largely through the efforts of the American Bar Association and this association has since (house of delegates, February 27, 1951, 37 ABA Journal 322) declared that all the reasonable safeguards provided by that act are required to protect the essential rights of the public to due process of law before Federal administrative agencies: Be it

Resolved, That the American Bar Association approves in principle the repeal of all Federal laws or parts of laws which grant exemptions to Federal administrative agencies from the provisions of Administrative Procedure Act and approves the provisions of S. 1770, a bill introduced by Senator McCARRAN for that purpose: And be it further

Resolved, That the President is hereby authorized to appear, or to designate a member of the association to appear, before the appropriate committees of Congress to present the views of the association in support of this resolution.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. McCARRAN. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 5, it is proposed to strike out the period and insert a semicolon and the following: "(12) Section 111 of the Renegotiation Act of 1951 (Public Law 9, 82d Cong.)."

Mr. McCARRAN. Mr. President, the purpose of the amendment which I now propose is to complete the listing in S. 1770 of all of the statutes containing provisions of exemption from application of the Administrative Procedure Act. The necessity for this amendment, recently discovered, perhaps points up the extent to which the Congress has permitted

dissipation of the force and scope of the Administrative Procedure Act.

As the report on S. 1770 points out, when the Administrative Procedure Act was enacted in 1946 it was intended to apply to the functions of all Federal administrative agencies, with certain prescribed exceptions which were written into the act for good and substantial reasons determined upon careful deliberation. During the first 5 years of the existence of the Administrative Procedure Act the Congress displayed a growing tendency to delimit the application of its safeguards on agency action by exempting certain statutory functions from the purview of the act. I thereupon introduced S. 1770 to repeal those exempting provisions and thereby reinstate the original scope of the act.

Members of the staff of the Committee on the Judiciary collaborated with the legislative counsel's office in the attempt to make S. 1770 all-inclusive with respect to the exemptions previously granted. The long list of laws contained in section 2 (a) of S. 1770 resulted from painstaking research required by the lack of annotation and by the brevity of the exempting provision in those laws. Quite by happenstance we have now uncovered one more instance, in the Renegotiation Act of 1951, where an exemption from the Administrative Procedure Act was included in brief terms, and hence, I offer the proposed amendment to S. 1770 in a further effort to make that bill all-inclusive, in accordance with its purpose.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1776) to provide for home rule in the District of Columbia was announced as next in order.

Mr. STENNIS. Over.

The PRESIDING OFFICER. The bill will be passed over.

CREATION OF CORPORATIONS IN THE DISTRICT OF COLUMBIA

The bill (S. 664) to amend section 4 of the act of May 5, 1870, as amended and codified, entitled "An act to provide for the creation of corporations in the District of Columbia by general law, and for other purposes," was announced as next in order.

Mr. McFARLAND. I have a request that the bill go over. I also have a request that the next two bills on the calendar, namely, Senate bill 1260 and House bill 1764 go over.

Mr. HENDRICKSON. Will the Senator from Arizona withhold his objection?

Mr. McFARLAND. Yes, of course. It is not my objection.

Mr. HENDRICKSON. May I ask whose objection it is?

Mr. McFARLAND. It is the objection of the Senator from New Mexico [Mr. CHAVEZ].

Mr. HENDRICKSON. The Senator from New Mexico has informed the junior Senator from New Jersey that he has withdrawn his objection to Senate bill 664.

Mr. McFARLAND. I do not know about that. I have been given a list of bills to which objection has been raised. I ask that the bill go to the foot of the calendar.

Mr. KEFAUVER. Which calendar number is the Senate considering at the moment?

The PRESIDING OFFICER. Calendar 595. Would the Senator from Arizona consent to having the bill go to the foot of the calendar?

Mr. McFARLAND. This is satisfactory.

Mr. KEFAUVER. Would the Senator from Arizona withhold his objection to Calendar 609, Senate bill 1260?

The PRESIDING OFFICER. First, let us dispose of Calendar 595, Senate bill 664. That bill will go to the foot of the calendar.

Mr. CHAVEZ subsequently said: Mr. President, when I was out in the reception room talking to some constituents, Senate bill 664, Calendar No. 595, was passed over at my suggestion upon the request of another Senator. Heretofore I have objected to the bill because I wanted to study it further. However, I have no objection to consideration of the bill at this time.

The PRESIDING OFFICER. Does the Senator from New Jersey ask unanimous consent that the action of the Senate in passing over the bill be reconsidered?

Mr. HENDRICKSON. I do, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 664) to amend section 4 of the act of May 5, 1870, as amended and codified, entitled "An act to provide for the creation of corporations in the District of Columbia by general law, and for other purposes."

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia with an amendment, on page 1, line 8, after the word "any", to strike out "company to use any of their funds in the purchase of any stock in any other corporation: *Provided, however,* That this provision shall not apply to charitable, educational, and religious corporations incorporated under the Code of the District of Columbia or under any act of Congress" and insert "corporation, except a charitable, educational, or religious corporation incorporated under the laws of the District of Columbia or under any act of Congress, to use its funds to purchase stock in any other corporation", so as to make the bill read:

Be it enacted, etc., That section 4 of the act of May 5, 1870, as amended and codified, entitled "An act to provide for the creation

of corporations in the District of Columbia by general law" (D. C. Code, 1940 ed., sec. 29-216), be amended to read as follows:

"It shall not be lawful for any corporation, except a charitable, educational, or religious corporation incorporated under the laws of the District of Columbia or under any act of Congress, to use its funds to purchase stock in any other corporation."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HENDRICKSON. Mr. President, I wish to thank the distinguished Senator from New Mexico for his study of the bill and for withdrawing his previous objection to it.

ESTABLISHMENT OF CIVIL DEFENSE TRAINING SCHOOL—BILL PASSED OVER

The bill (S. 1260) to authorize the acquisition of property for the establishment of a Federal civil defense technical training school, and for other purposes, was announced as next in order.

Mr. KEFAUVER. I wonder whether the majority leader would mind stating which Senator objected to the bill.

Mr. McFARLAND. The senior Senator from Tennessee [Mr. McKELLAR] has requested that the bill go over. I do not know what his objection is.

Mr. HOLLAND. Mr. President, if the Senator from Arizona will withhold the objection, I should like to say that in my judgment it is exceedingly important that Calendar No. 609, S. 1260, be considered and passed before the Senate adjourns, because the establishment of a technical training school by the Federal Civil Defense Administration is an absolutely necessary step if we are to have a national civil defense program. I very strongly urge the majority leader to set a date for the consideration of the bill if it cannot be passed on the call of the calendar.

Mr. KEFAUVER. I wish to join in what the Senator from Florida has stated. As Mr. Caldwell has said, the enactment of this bill is a very necessary step for our civil defense program. I understand that the senior Senator from Tennessee [Mr. McKELLAR] wanted to inspect the property before the bill was acted on. My information is that he has inspected the school which is intended to be purchased.

I wonder whether the majority leader would object to having the bill placed at the foot of the calendar, so that we may ascertain whether, following that visit, the objection might be withdrawn.

Mr. McFARLAND. Mr. President, the senior Senator from Tennessee has sent word that he does not want the bill passed during the call of the calendar. I shall give consideration to the Senator's request in regard to taking up the bill.

Mr. KEFAUVER. Would the Senator object to having the bill go to the foot of the calendar?

Mr. McFARLAND. I have no objection, except that the senior Senator from Tennessee has just sent word about this bill. We have telephoned to him since the bill has been under discussion, and he does not want the bill passed during the call of the calendar. I will give con-

sideration to having the bill called up at another time.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

SETTLEMENT BY THE ARMED SERVICES OF PAY AND CERTAIN CLAIMS FOR DAMAGES

The bill (H. R. 1764) to authorize the Secretaries of the Army and Air Force to settle, pay, adjust, and compromise certain claims for damages and for salvage and towage and to execute releases, certifications, and reports with respect thereto, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McCARRAN. Mr. President, this bill was before the Judiciary Committee and was studied extensively and was studied by the staff, and then was considered by the full Judiciary Committee, and was rejected; it was not reported favorably. However, now we find the bill coming up.

I am quite certain that the Senator from Mississippi [Mr. STENNIS] did not know of the history of the bill, namely, that it had been submitted to the Judiciary Committee and was turned down by the committee, or the bill would by him have been referred again to the Judiciary Committee.

I do not know why or how the bill got to the Committee on Armed Services.

I respectfully suggest that the bill should be sent to the Judiciary Committee, and should not be passed during the call of the calendar, at this time.

Mr. STENNIS. Mr. President, this is my first knowledge that the bill had been referred to the Judiciary Committee and had been turned down. I have some faint recollection that something was said about some bill which went to the Judiciary Committee, but I do not think it was this one, and there is nothing in our record to show it.

Mr. McCARRAN. Let me make it clear that we had a Senate bill which was identical with this House bill. This is a House bill which came from the House and evidently was referred to the Armed Services Committee. The Senate Judiciary Committee had the Senate bill before it.

Mr. STENNIS. I am advised by a member of the staff that he examined the record in regard to the bill, and there was nothing to indicate that the bill had been turned down by the Judiciary Committee.

Mr. McCARRAN. There were no hearings, but the bill was considered by the staff, was studied by the staff, was referred to the full committee, and by the full committee was rejected.

Mr. STENNIS. I hold in my hand a document entitled "Stenographic transcript of hearings before the Committee on the Judiciary, United States Senate, March 7, 1951, on Senate bill 313," which I am advised now by the staff is the same as House bill 1764, although I have no independent knowledge that the Judiciary Committee ever turned down the bill.

Mr. McCARRAN. That is the record.

The PRESIDING OFFICER. Does the Senator from Nevada ask that the bill go over?

Mr. McCARRAN. Yes; I should like to have the bill go over until we can clear the record on it.

Mr. STENNIS. Mr. President, I should like to say that in the Armed Services Committee we had no knowledge that the bill or one similar to it had been rejected by the Judiciary Committee. We are very glad indeed to have the Judiciary Committee consider the matter again, as it may wish; but we think the bill is of some importance.

Based on the experience of the Navy, which is operating under the same system now proposed for the Army and the Air Force, the bill commends itself to us very highly. When all such claims have to be filed with the courts, if the claims involve more than \$1,000 and relate to any kind of collision or damage of any sort by components of the Army or the Air Force the result is to throw a tremendous burden upon the courts and upon the Treasury.

Mr. McCARRAN. As I now recall, it was the idea of the chairman of the Judiciary Committee that the bill had merit, but I did not attempt to urge my ideas on the committee, and the committee turned down the bill. It might be that upon further consideration of the bill, the committee would look at it differently.

I suggest to the Senator from Mississippi that at some time before we conclude having the calendar called, perhaps it might be well to have the bill go back to the Judiciary Committee, and perhaps the committee will do something with the bill.

Mr. STENNIS. I appreciate the Senator's remarks. I hope the Judiciary Committee will give consideration to the bill. I believe it will be passed, once it is understood.

Mr. McCARRAN. Will the Senator from Mississippi consent to having the bill referred to the Judiciary Committee? If so, I will say to the Senator that I will bring the bill before the Judiciary Committee next Monday.

Mr. STENNIS. I shall be glad to do that.

The PRESIDING OFFICER. Does the Senator make that request?

Mr. McCARRAN. Yes, Mr. President; I ask unanimous consent that the bill be referred to the Judiciary Committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada? Without objection, it is so ordered.

Mr. McCARRAN subsequently said: Mr. President, some time ago, when it was before the Senate on the calendar, I raised a question with reference to House bill 1764. I was evidently in error in regard to its companion bill (S. 313). I find a statement by myself in the Record, made on a previous date, in which I stated:

Pursuant to the order of the Senate Judiciary Committee entered on June 25, 1951, I move that the Committee on the Judiciary be discharged from further consideration of S. 313 and that it be referred to the Senate Committee on Armed Services.

Of course, that did happen, subsequent to the other event which I have recited today. It is a matter which had entirely slipped my mind. I apologize to the Senate, and I ask unanimous consent that we revert to the consideration of Calendar No. 609, House bill 1764.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, the question is with reference to returning to the consideration of Calendar No. 610, and withdrawing it from the Committee on the Judiciary.

The PRESIDING OFFICER. Without objection, the Committee on the Judiciary is discharged from consideration of the bill.

Mr. McCARRAN. I withdraw the objection.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Nevada that the Senate now proceed to the consideration of H. R. 1764?

There being no objection, the bill (H. R. 1764) was considered, ordered to a third reading, read the third time, and passed.

PHILIPPINE SCOUTS

The Senate proceeded to consider the bill (H. R. 1216) to authorize the President to convey and assign all equipment contained in or appertaining to the United States Army Provisional Philippine Scout Hospital at Fort McKinley, Philippines, to the Republic of the Philippines and to assist by grants-in-aid the Republic of the Philippines in providing medical care and treatment for certain Philippine Scouts hospitalized therein, which had been reported from the Committee on Armed Services with amendments, on page 2, line 6, after the numerals "381", to strike out "Seventy-sixth" and insert "Seventy-eighth"; and on page 3, line 11, after the word "conditions", to insert "and limitations."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (S. 515) to amend the Reconstruction Finance Corporation Act was announced as next in order.

Mr. McFARLAND. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 751) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon certain claims for basic and overtime compensation was announced as next in order.

Mr. SCHOEPEL. Mr. President, over, by request.

The PRESIDING OFFICER. Upon objection, the bill goes over.

The bill (S. 1570) to amend the immunity provision relating to testimony given by witnesses before either House of Congress or their committees was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over, by request.

The PRESIDING OFFICER. The Senator from New Jersey requests that

the bill be passed over, and the bill goes over.

The bill (S. 16) to provide for the payment of an annuity to widows of judges was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over, by request.

The PRESIDING OFFICER. Upon objection, the bill goes over.

GRANTS FOR HOSPITAL FACILITIES TO THE DISTRICT OF COLUMBIA—BILL PASSED OVER

The bill (H. R. 2094) to amend the act of August 7, 1946, so as to authorize the making of grants for hospital facilities, to provide a basis for repayment to the Government by the Commissioners of the District of Columbia, and for other purposes, was announced as next in order.

Mr. JOHNSTON of South Carolina. Over.

Mr. PASTORE. Mr. President, will the Senator withhold his objection, so that I may address myself to the majority leader?

Mr. JOHNSTON of South Carolina. I withhold the objection for that purpose, but thereafter I shall ask that the bill go over.

Mr. PASTORE. Mr. President, it is my considered judgment that this bill is a very worth-while measure. The bill merely enables voluntary, private hospitals in the District of Columbia, which serve practically the entire metropolitan population of the District of Columbia, to avail themselves of certain Federal grants for the purpose of expanding their hospital facilities.

This bill came up before a subcommittee of the District of Columbia Committee, and we had extensive hearings. The proof was quite abundant that these plans cannot be carried to fruition unless the aid provided by the bill is afforded. I realize that possibly such a measure cannot be passed on the Consent Calendar, but I hope that the majority leader will give serious consideration to the fact that possibly it could be brought up for debate and for consideration and acted on by the Senate before Congress finally adjourns.

Mr. JOHNSTON of South Carolina. Over.

The PRESIDING OFFICER (Mr. McMahon in the chair). The Chair would like to join in the request of the Senator from Rhode Island that consideration be given to the bill at this session.

Mr. JOHNSTON of South Carolina. Mr. President, I object to this bill, and shall continue to object to it, for I think it would set up a precedent in the United States which we do not want. It would say to every religious hospital in the United States, "Come in and we will let you have money with which to build a hospital." That is what is proposed, in effect, and for that reason I think it would result in a mixture of church and state. I shall continue to oppose it for that reason.

Mr. McCARRAN. Mr. President, it is regrettable that the Senator from South Carolina should make that statement. Certainly I am sorry to hear it, as every other Member of the Senate should be. These hospitals are rendering a great

humanitarian service, regardless of religious affiliation. Because the Cross of Christ may be on the turret of some hospital is no reason why it does not render Christian service to the sick, the needy, and the afflicted, and certainly if there was ever a time in the history of this country when we should forget that there are differences in religious beliefs, and remember that we are a Christian Nation, and that Christianity comes out of institutions such as would be aided by this bill, it seems to me that time is now.

Mr. PASTORE. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield to the Senator from Rhode Island.

Mr. PASTORE. I should like to join to the statement made by the distinguished Senator from Nevada, and to add that there appeared before the committee representatives of the trustees of practically every voluntary and private hospital in this community, and all of them agreed that what has been proposed would be good legislation, and there was not raised a single question of mixture of church and state.

Mr. JOHNSTON of South Carolina. Mr. President—

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina, but in doing so suggests that there are but 2 minutes of time for debate on this bill remaining.

Mr. JOHNSTON of South Carolina. Mr. President, I desire to say to the Senate that I agree that the church hospitals are doing a wonderful work, but at the same time I call attention to the fact that we as a government cannot do what we should do to carry along hospitalization in the United States, even in State, county, and municipally owned hospitals.

Furthermore, so far as I am concerned, I try to do what I think it right with the taxpayers' money, and when we tax people in the United States, I do not believe we have a right to take the money collected and give it to hospitals. We have not done it in the past. A health center was established in the District, and it is possible to get the necessary hospital care through that health center, without coming directly to the Federal Government. Why is that not done? Instead of that, the proposal in the bill is to come directly to the Federal Government and to say, "Give us so much money." I think that is wrong. That is the question which I am raising at this time.

Mr. KERR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KERR. As I understand, the Senator is entirely in favor of the program of the building of hospitals.

Mr. JOHNSTON of South Carolina. Absolutely.

Mr. KERR. But he is opposed to the method proposed in the bill.

Mr. JOHNSTON of South Carolina. Absolutely.

Mr. PASTORE. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield to the Senator from Rhode Island.

Mr. PASTORE. Does the Senator realize that we are now giving Federal money for the expansion of private and voluntary hospitals in every State of the Union, under the Byrd-Hill Act?

Mr. JOHNSTON of South Carolina. But we are not giving it to them directly.

Mr. PASTORE. To whom is it given?

Mr. JOHNSTON of South Carolina. The money is given through the State or through a health center. We set up a health center in 1946 for these hospitals, and they are now coming to us for money. There is \$21,000,000 available. We are waiting for those interested to come and get it. But they will not come under the system provided heretofore. That is what I am complaining about.

The PRESIDING OFFICER. On request, the bill goes over.

BILL PASSED OVER

The bill (S. 1475) to amend section 1 of the act to provide aviation education in the senior high schools of the District of Columbia, and for other purposes, approved December 16, 1941, was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. HENDRICKSON. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

REIMBURSEMENT OF NAVAL ATTACHÉS, OBSERVERS, AND OTHER OFFICERS—BILL PASSED OVER

The bill (H. R. 2737) to authorize the reimbursement of certain naval attachés, observers, and other officers for certain expenses incurred while on authorized missions in foreign countries was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. STENNIS. Mr. President, I have an amendment in the nature of a substitute, which I send to the desk.

The PRESIDING OFFICER. The clerk will read the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert:

Notwithstanding the proviso in section 1 of the act of July 18, 1947, under the headings "Bureau of Supplies and Accounts" and "Pay and subsistence of naval personnel" (61 Stat. 386), Navy and Marine Corps personnel shall be entitled to reimbursement for amounts expended by them prior to March 2, 1948, for hiring and maintaining permanent household staffs or for hiring servants for specific occasions of official entertainment, while in the performance of their duties in foreign countries as attachés, observers, or on any other authorized missions in connection with Naval Intelligence: *Provided*, That such reimbursement shall be paid from the unexpended balance of the appropriation which would have been made but for the prohibition contained in said proviso: *Provided further*, That any payments which have heretofore been made for such purposes are hereby expressly validated.

Mr. STENNIS. Mr. President, the Senator from Illinois has returned to the floor. Let the Senator from Illinois be advised that the Senator from Mississippi has proposed an amendment to

the pending bill. The Senator was out of the Chamber at the time. It is the amendment about which the Senator from Mississippi spoke to the Senator from Illinois several moments ago.

Mr. DOUGLAS. Mr. President, if I may address an inquiry to the Senator from Mississippi, do I correctly understand that the Senator from Mississippi is proposing that reimbursement of the payment illegally made by the Navy shall be made out of past appropriation funds?

Mr. STENNIS. Mr. President, an explanation of this bill was made at a prior call of the calendar, and the bill was carried over on objection by the Senator from Illinois. The Senator from Mississippi now offers an amendment providing that the funds must be paid out of the funds which remain with the Navy from the fiscal year 1948, there being some funds remaining for the fiscal year 1948 which are available for this purpose.

Mr. DOUGLAS. Mr. President, I think the action of the Navy in this respect was so illegal that they should be taught a lesson, and I hope the Senator from Mississippi will accept an amendment reading: "*Provided*, That the \$42,000 spent by the officers in question in good faith shall be taken from the amount appropriated to the Department of the Navy for emergencies and extraordinary expenses for the year 1952," because we appropriated for the Navy, I believe, a total of almost \$20,000,000,000.

Mr. STENNIS. Mr. President, may we have order? It is impossible for me to hear the Senator from Illinois.

The PRESIDING OFFICER. The Senate will be in order.

Mr. DOUGLAS. Mr. President, I believe we have appropriated for the Navy for the current year about \$20,000,000,000, and we have made a very large appropriation for emergencies and extraordinary expenses as an item in the appropriation. The payment covered by the pending bill was an expenditure of \$42,000 made by the officers in the field in good faith, but as a result of a ruling by the Navy Department which directly disobeyed an act of Congress.

First, I wish to congratulate the committee for cutting down the total amount of claims from \$89,000 to \$42,000. I agree that the officers in question who made the payments should not bear the burden of the expense, but the Navy Department deserves some discipline for its illegal act in gross violation of the intent and letter of the law. It would seem to me that if the payment were charged to emergencies and extraordinary expenses for this year, they could bear \$42,000 out of a total appropriation running into the billions of dollars. I very much hope that the Senator from Mississippi will be willing to accept this change; otherwise, I shall be compelled, reluctantly, to object, and the officers will then receive nothing.

Mr. STENNIS. Mr. President, the amendment offered by the Senator from Mississippi is really more in line with the committee action on the bill than is the amendment suggested by the Senator from Illinois. But in view of the

Senator's position, that he will object to the consideration of the bill unless his amendment is accepted, I agree, under those circumstances, to a substitution of the Douglas amendment for the amendment which I offered.

The PRESIDING OFFICER. Does the Senator from Mississippi withdraw his original amendment and offer the Douglas amendment as a substitute?

Mr. STENNIS. Yes; Mr. President.

The PRESIDING OFFICER. The clerk will state the amendment for the information of the Senate.

The CHIEF CLERK. On page 2, line 6, it is proposed to insert after the period the following:

All payments made under the provisions of this act shall be made from, and all payments validated under such provisions shall be charged to, the amount appropriated by the Department of Defense Appropriation Act, 1952, to the Department of the Navy for emergencies and extraordinary expenses, as authorized by section 6 of the act of August 2, 1946.

Mr. CHAVEZ. Mr. President, I have the greatest of faith in the integrity and good will of the Senator from Mississippi, but it appears to me that this bill would establish a precedent which might be detrimental in the future. I should like to know a little more about the provisions of the bill and should like to have more opportunity to study it. For that reason, I ask that it go over.

Mr. STENNIS. Will the Senator withhold his request for a moment?

Mr. CHAVEZ. Yes.

Mr. STENNIS. An explanation of the bill was made when it was first called up, and my time is now exhausted and there is no time to explain the bill further. If the Senator will let it go to the foot of the calendar, so that it will be called again, I think I can satisfactorily explain it to the Senator.

Mr. CHAVEZ. I am very sure the Senate will have another call of the calendar before Congress adjourns. I may be in favor of the bill, but I do not feel that it is wise to establish a precedent by paying amounts through legislation which might in the future lead to more claims of the same nature. So I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 4692) to authorize the appointment of Joseph F. Carroll as a permanent colonel in the Regular Air Force was announced as next in order.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The bill will be passed over.

DETERMINATION OF WHEN PSYCHOSIS SHALL BE PRESUMED TO BE SERVICE-CONNECTED

The Senate proceeded to consider the bill (H. R. 320) to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for psychoses developing to a compensable degree of disability within 3 years from the date of separation from active service, which had been reported from the Committee on Finance with an

amendment to strike out all after the enacting clause, and insert:

That, for the purpose of hospital and medical treatment, including out-patient treatment, authorized under laws administered by the Veterans' Administration, a veteran of World War II (as defined in Veterans Regulation No. 10, as amended) developing an active psychosis within 2 years from the date of separation from active service in such war shall be deemed to have incurred such disability in such active service.

The amendment was agreed to.

Mr. SCHOEPEL. Mr. President, may I inquire what the result of the amendment would be? I think we should have the information in the RECORD.

Mr. KERR. Mr. President, the bill as passed by the House created the presumption of service connection in the case of any person who served in the Armed Forces and who suffered a psychosis within 3 years from the date of separation from active service.

The Committee on Finance amended the title so as to read:

An act to assure hospitalization and out-patient treatment by the Veterans' Administration of World War II veterans who develop an active psychosis within 2 years from the date of separation from active service.

We changed the bill in two ways. First, we limited the time to 2 years, instead of 3, in which the presumption would exist. Upon the development of a psychosis within the 2-year period the patient would have top priority for hospitalization and out-patient care.

It seems, Mr. President, that there are some 8,000 or 10,000 veterans who have such disability. They not only constitute a problem which is of grave concern to the Government, but it is also one in which the Government has a very sympathetic and very keen interest, and also a very direct responsibility. It was the belief of the committee, however, that the greatest service that could be rendered the veterans would be to give them top priority for hospitalization and out-patient care. Therefore the benefit of the presumption goes to affording them hospitalization and out-patient care, and it limits the presumption from 3 years to 2 years.

The Government has the facilities with which to give the veterans hospitalization and out-patient care.

Mr. HOLLAND. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. HOLLAND. Is not the thought behind the bill the fact that it is completely impossible to tell with any degree of certainty exactly from what cause these psychoses have originated?

Mr. KERR. That was one of the considerations in connection with reporting the bill as amended.

Mr. HOLLAND. And the purpose of the bill is to give the veteran the benefit of the doubt if the psychosis develops within 2 years from his discharge from the service. Is that correct?

Mr. KERR. That is correct.

Mr. HOLLAND. And to find by presumption, as stated in the bill, that the

psychosis is the result of his military service?

Mr. KERR. Yes; but in addition to that, he has priority for hospitalization and out-patient care.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to assure hospitalization and out-patient treatment by the Veterans' Administration of World War II veterans who develop an active psychosis within 2 years from the date of separation from active service."

Mr. KERR subsequently said: Mr. President, with reference to calendar 707, House bill 320, which was passed a few minutes ago, I move that the Senate insist on its amendment, ask for a conference with the House, and that the Chair appoint conferees on the part of the Senate.

Mr. DOUGLAS. Mr. President, I was absent from the Chamber when this bill was considered and passed. On the last previous call of the calendar I objected to it. Before it is finally approved, I should like to ask reconsideration of the vote by which the bill was passed, because I believe it establishes a very dangerous precedent.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Will the Chair please state the bill which is now before the Senate, about which the Senator from Oklahoma inquired?

The PRESIDING OFFICER. The bill being discussed is calendar 707, House bill 320, which was previously passed by unanimous consent.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the vote by which the bill was passed be reconsidered.

Mr. KERR. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DOUGLAS. Mr. President, I enter a motion to reconsider the vote by which that bill was passed.

Mr. McCARRAN. Mr. President, a point of order.

The PRESIDING OFFICER. The motion to reconsider will be entered.

Mr. DOUGLAS. Mr. President, is it appropriate to make a statement at this time?

Mr. CHAVEZ. Mr. President, why can we not follow the regular order, and then argue these questions afterward?

The PRESIDING OFFICER. That bill is not now before the Senate. It has been passed. A motion to reconsider has been entered, and the regular order is that the clerk report the next measure on the calendar.

Mr. KERR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. KERR. Is the motion of the Senator from Oklahoma, that the Senate insist on its amendment, request a conference thereon, and that the Chair appoint conferees on the part of the Senate, out of order?

The PRESIDING OFFICER. The time was still ripe for a motion to reconsider; therefore the Senator from Illinois had the right at any time within that time to enter his motion. That has been done, and, it being a privileged motion, it takes precedence. The Chair may say that, of course, if any Senator wishes to comment on this particular bill, he may take advantage of the opportunity to do so when another bill is called, under the 5-minute rule.

Mr. CHAVEZ. Mr. President, is it in order to call for the regular order at this moment?

The PRESIDING OFFICER. The regular order is that the clerk report the next measure on the calendar; which the clerk will do. Following that, any Senator may obtain recognition.

BILL PASSED OVER

The bill (S. 18) to authorize suits against the United States to adjudicate and administer water rights was announced as next in order.

Mr. McFARLAND. I object.

Mr. CHAVEZ. Mr. President, I have no objection, but I should like to have the Senator from Nevada give us some information with reference to the bill.

Mr. McCARRAN. Mr. President, the purpose of the proposed legislation is to permit the United States of America to be joined as a defendant in any suit for the adjudication of rights to the use of water from any water source, or for the administration of such rights, where it appears that the United States is the owner, or is in the process of acquiring ownership of rights by appropriation under State law, and where there is a showing that the United States is a necessary party to such adjudication. Section 2 of the bill provides for the development of a catalog of water rights owned by the United States to be kept by the Secretary of the Interior for the purpose of reference thereto as the need may arise. The bill specifically excepts the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream.

In the Western States the doctrine of prior appropriation is the water law, controlling water rights in those States. It is based on the proposition that "first in time is first in right," and recognizes the right of a landowner on a given stream to continue the use of water which he has appropriated for a beneficial use. No person can appropriate more than is reasonably necessary for the benefit of his land, and must continue to use that appropriation in a beneficial manner. Due to the fact that water is so scarce in the Western States, all such water has for many years been appropriated and put to beneficial use.

The Government has long recognized and conceded, particularly in the Desert Land Act of 1877, the supremacy of State law in respect to the acquisition

of water. It has been under these State laws that the water rights of the owners on a given stream have been adjudicated. Under the laws of many States, in order that an adjudication of the water rights of a stream may be had, it is necessary to join all the parties owning or claiming to own any rights to the stream. If one or the other of the owners of the rights cannot be joined, the effect of the decree is obvious. Since the United States has not waived its immunity in cases of this nature, suits for the adjudication of water rights necessarily come to a standstill, and confusion results.

The necessity that all owners or claimants of water rights on a given stream be joined in a suit for the adjudication of water rights is conceded. For example, in the Santa Margarita case in which the Government is seeking to adjudicate all of its rights to the Santa Margarita River in California, the Government has joined or is seeking to join all the claimants on that stream, even though it would appear that about 90 percent of the water rights repose in 10 percent of the litigants. This abundantly appears from the transcript of the hearings held September 21, 1951, by the Committee on the Judiciary, in reference to the confirmation of the nomination of A. Devitt Vanech, to be deputy attorney general. I direct attention to this point to show that the Department of Justice admits that in order to get a proper and complete adjudication of the water rights of a given stream or water source, it is necessary to join all the parties having or claiming to have an interest in the waters of said stream.

Particularly in view of the fact that the United States has acquired its water rights from former owners who were subject to such suits, the committee is of the opinion that to allow the United States in its own right or as a trustee to have a better right than the former owner is not fair and just to the other water users on the stream.

Section 2 of the bill provides for a common repository for all the claimed water rights of the United States in the office of the Secretary of the Interior, so that at all times the public may know, upon request, just what the water rights claimed and held by the United States are. It also establishes a place where the United States Government itself may go on short notice to determine any or all of its holdings.

The committee believes this bill to be meritorious, and I trust that the Senate may at some time take it up, if consideration of it is objected to today.

Let me say to the Senator from Arizona [Mr. McFARLAND] that there is no State in the Union more interested in the bill than is the State of Arizona, because the State of Arizona recognizes the right of prior appropriation as against riparian doctrine. The State of New Mexico, the State of Nevada, the State of Idaho, the State of California—in fact, all the western arid and semi-arid States—are interested in the bill, because the Government of the United States, during the past 15 or 18 years, has acquired on the various natural streams of the West holdings in real

estate which was formerly taken up by private citizens and in connection with which they, as private citizens, diverted water from the natural streams and applied it to the land. Then the Government acquired the land and the water rights. If some water user on the stream seeks to establish what his water rights are, he must of necessity bring the Government in as a party defendant or a party litigant in the suit.

Mr. CHAVEZ. Mr. President—

The PRESIDING OFFICER (Mr. STENNIS in the chair). Does the Senator from Nevada yield to the Senator from New Mexico?

Mr. McCARRAN. I yield.

Mr. CHAVEZ. I am happy the Senator from Nevada has made a statement explaining the purpose of the bill and the reasons for it. I have no objection to the bill. I know what it means to my State. But I should like to ask a question. If the Interior Department is made the repository of water rights, be they in the United States Government or in individual citizens, does that mean that Indian rights will also be integrated?

Mr. McCARRAN. No. All that the bill provides is that the Interior Department shall be a repository for the rights that have been acquired and are held by the United States, so that one seeking to determine water rights on a given stream may know what rights, if any, are claimed by the Government.

Mr. CHAVEZ. Does the Government claim those rights as the Government, or could it act as trustee, let us say, for a tribe of Indians?

Mr. McCARRAN. It could act as a trustee, I suppose. But, Mr. President, there is a deeper and more far-reaching purpose. If my time has not expired—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the Senator be allotted further time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARRAN. Mr. President, I appeal to the Senator from Arizona, because his State is as much interested in this matter as is my State, or as is the State of New Mexico, or as are any of the other arid or semiarid States. Why the Senator from Arizona should object to the bill is more than I can understand.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. McFARLAND. I concede that my State is interested, but it is interested that the bill not be passed. After I have an opportunity to study it, at some appropriate time we can take it up on the floor of the Senate and debate it, but I object to consideration of the bill at this time.

The PRESIDING OFFICER (Mr. Douglas in the chair). Objection is heard.

The clerk will state the next bill on the calendar.

FINANCING OF SAFETY EQUIPMENT OF RAILROADS

The bill (H. R. 4693) to amend section 77, subsection (c) (3), of the Bank-

ruptcy Act, as amended, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, this bill seeks to amend subsection (c) (3) of section 77 of the Bankruptcy Act for the purpose of clarifying the power of the bankruptcy court in railroad reorganization proceedings to permit a priority to certificates issued for the financing of safety equipment over existing obligations, receivership charges, and past or future State and local taxes. It is widely contended that the bankruptcy court has such power under the present provisions of subsection (c) (3), but this legislation would expressly clarify that power, and, incidentally, would expedite the financing of automatic safety equipment to be installed on the Long Island Railroad, where it is urgently needed.

It should be noted that this legislation does not disturb the discretion now vested in the bankruptcy court with respect to the granting of priority in obligations, but only clarifies the scope of the obligations to which the priority may apply in the discretion of the court.

The Interstate Commerce Commission recommends favorable consideration of the bill in its present form, and the Department of Justice makes no objection to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4693) was considered, ordered to a third reading, read the third time, and passed.

TRAVEL AND SUBSISTENCE EXPENSES OF JUDGES—BILL PASSED OVER

Mr. McCARRAN. Mr. President, I ask unanimous consent to revert to Calendar No. 21, Senate bill 32, which has previously been passed over.

Mr. McFARLAND. Mr. President, I have no objection. The Senator from Illinois [Mr. DOUGLAS] has informed me that he withdraws his objection. I objected to the bill only on his behalf.

Mr. McCARRAN. Mr. President, I ask unanimous consent to revert to Calendar No. 21.

The PRESIDING OFFICER. Without objection, the Senate will revert to Calendar No. 21, Senate bill 32.

Mr. McCARRAN. Mr. President, Calendar No. 228, House bill 36, is a companion bill. I ask unanimous consent for the substitution of that bill and its present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 36? The Senator from Illinois has objected in the past, but he withdraws his objection.

There being no objection, the Senate proceeded to consider the bill (H. R. 36) to amend title 28, United States Code, section 456, so as to increase to \$15 per day the limit on subsistence expenses allowed to justices and judges while attending court or transacting official business at places other than their offi-

cial station, and to authorize reimbursement for such travel by privately owned automobiles at a rate of not exceeding 7 cents per mile, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 7, after the word "of", to strike out "not exceeding."

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

Mr. JOHNSTON of South Carolina. Mr. President, are we not setting a precedent in allowing judges \$15 a day for expenses? That is more than is allowed other Government employees. Are we not opening the door for others to come in and ask for a like sum?

Mr. McCARRAN. This provides only for actual expenses up to \$15. Judges have always been allowed more for expenses than have others.

Mr. JOHNSTON of South Carolina. How much do they receive now?

Mr. McCARRAN. I think the present allowance is \$9.

Mr. JOHNSTON of South Carolina. Is not that the same allowance as is made for other Federal Government employees while traveling?

Mr. McCARRAN. The allowance for judges was \$9 when the allowance for everyone else was \$6. Then we brought the allowance for others up to \$9. It is the opinion of the committee that when judges travel they should live as judges ought to live. Judges must be detained for a long time, holding court at points remote from their regular place of holding court. The committee feels that under existing conditions, \$15 a day is not too much, especially in these times, when a ham sandwich cost \$2.50.

Mr. JOHNSTON of South Carolina. Is it not true that the allowance for others ought to be increased as well?

Mr. McCARRAN. That is a matter which we shall have to deal with later.

Mr. JOHNSTON of South Carolina. I fear that if we pass this bill, it will be an opening wedge for others to demand the same allowance. I do not know that judges ought to receive more than anyone else when they travel.

Mr. McCARRAN. The judges are required to travel. They are ordered to travel.

Mr. JOHNSTON of South Carolina. I object to further consideration of the bill at this time.

The PRESIDING OFFICER. Objection is heard. The Chair requests that the RECORD show that the Senator from Illinois [Mr. DOUGLAS] has withdrawn his objection.

The bill will be passed over.

Mr. McCARRAN. Mr. President, I am grateful to the Senator from Illinois.

BILLS PASSED OVER

The bill (S. 1452) to promote the further development of public-library service in rural areas was announced as next in order.

Mr. HENDRICKSON. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 106) to amend the act entitled "An act to regulate the practice of

optometry in the District of Columbia" was announced as next in order.

Mr. HENDRICKSON. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2137) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to enter into lease-purchase agreements to provide for the lease to the United States of real property and structures for terms of more than 8 years but not in excess of 25 years and for acquisition of title to such properties and structures by the United States at or before the expiration of the lease terms, and for other purposes, was announced as next in order.

Mr. CHAVEZ. Mr. President, this bill was sponsored by the Senator from Arkansas [Mr. McCLELLAN]. He and I were discussing certain amendments. The Senator from Arkansas is out of the city at the moment. For that reason I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

RETIREMENT BENEFITS FOR CHIEF OF DENTAL DIVISION OF BUREAU OF MEDICINE AND SURGERY

The bill (H. R. 4205) to provide retirement benefits for the Chief of the Dental Division of the Bureau of Medicine and Surgery, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2104) to repeal section 104 of the Defense Production Act of 1950, as amended, was announced as next in order.

Mr. SCHOEPPPEL. Over by request.

The PRESIDING OFFICER. The bill will be passed over.

CHARLES W. VANDERHOOP—BILL PASSED OVER

The bill (H. R. 2546) for the relief of Charles W. Vanderhoop was announced as next in order.

Mr. HENDRICKSON. By request I ask that the bill be passed over.

Mr. SALTONSTALL. Mr. President, will the Senator withhold his objection for a moment?

Mr. HENDRICKSON. I am glad to do so.

Mr. SALTONSTALL. I know who objects to the bill. The bill involves a Massachusetts citizen who is an Indian. I believe that this is a meritorious case, and I hope that the Senator who objects can be asked to discuss this question before it comes up again.

The PRESIDING OFFICER. The bill will be passed over.

Mr. McCARRAN. Mr. President, will the Senator from New Jersey withhold his objection so that I may make a brief explanation?

Mr. HENDRICKSON. I gladly withhold my objection.

Mr. McCARRAN. Mr. President, this bill provides for payment of the sum of \$639.39 to Charles W. Vanderhoop for adjustment of his retirement pay for the period January 1, 1933, to December 29, 1937, as a retired employee of the former Lighthouse Service of the Coast Guard,

which amount has been barred by the 10-year statute of limitations.

The committee recommends this award, inasmuch as it is evident that the claimant had no knowledge of any rights accruing to him until the ruling of the Comptroller General of October 23, 1947, and upon receiving such knowledge claimant filed for the money properly due him. The justice of the claim is upheld by the fact that the Government has settled for all of that period which was not barred by the statute of limitations.

The committee is of the view that the statute of limitations should not apply in this instance for the reason that until the ruling was made by the Comptroller General on October 23, 1947, the claimant had no claim which he could have prosecuted.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. SALTONSTALL. I agree with what the Senator from Nevada has said. As I understand, this man is an Indian who was retired. He was a lighthouse keeper on Marthas Vineyard, and was retired in due course. He had no knowledge of his rights until this time.

Mr. McCARRAN. That is correct.

Mr. SALTONSTALL. I am informed by the Senator from Utah [Mr. WARREN], who is not present, and who I think is the objector, that he believes that these cases should be covered by a general statute. There is a precedent for this case, because another Massachusetts case went through last year under similar circumstances.

Mr. McCARRAN. That is correct.

Mr. SALTONSTALL. Does the Senator know of any pending bill providing for a general statute on this subject?

Mr. McCARRAN. There is none to my knowledge.

Mr. HENDRICKSON. I am sure that the distinguished Senator from Massachusetts and the distinguished Senator from Nevada understand that the junior Senator from New Jersey has no objection. He is objecting on behalf of another Senator.

The PRESIDING OFFICER. Objection is heard; and the Gay Head Indian will have to wait some time for his reimbursement.

BILLS AND CONCURRENT RESOLUTION PASSED OVER

The bill (S. 2180) to provide for slaughter quotas and allocations of livestock was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 27) providing for a consolidated general appropriation bill for each fiscal year was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

The bill (S. 354) to amend Public Law 106, Seventy-ninth Congress, with regard to compensation for overtime and holiday employment was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that this bill go over, not because the junior Senator from New Jersey has

any personal objection, but I do not feel that this is legislation which should pass on the call of the calendar. I think it ought to be debated and carefully considered by the Senate.

The PRESIDING OFFICER. Objection is heard.

Mr. JOHNSTON of South Carolina. Mr. President—

Mr. HENDRICKSON. Does the Senator from South Carolina wish me to withhold my objection?

Mr. JOHNSTON of South Carolina. Will the Senator withhold his objection for a moment, to permit me to make a brief statement?

Mr. HENDRICKSON. I am glad to do so.

Mr. JOHNSTON of South Carolina. Mr. President, I think this bill should be considered, but not at this time on the call of the calendar. I hope we can take it up in the near future. The bill is not my idea. It is recommended by the Bureau of the Budget and the Civil Service Commission. They have made a study of overtime. The bill was recommended to the committee, and the committee reported the bill favorably. For that reason I hope the Senate can consider it before we adjourn.

Mr. HENDRICKSON. I share that hope.

The PRESIDING OFFICER. The bill will be passed over.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4740) making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, for the fiscal year ending June 30, 1952, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 79, 103, 104½, and 107, to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

HELEN DICK

The bill (S. 64) for the relief of Helen Dick was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Helen Dick, of Long Beach, Calif., shall be deemed to have been born in England, which was the birthplace of her father, Robert McCulloch Dick.

YOUICHI NOBORI

The bill (S. 527) for the relief of Youichi Nobori was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Youichi Nobori, a minor Japanese child, shall be considered the alien natural-born child of Lieutenant Colonel and Mrs. Richard G. Winters, citizens of the United States.

CONSTANCE CHIN HUNG

The bill (S. 605) for the relief of Constance Chin Hung was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of section 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the alien Constance Chin Hung, the minor, unmarried child of George Chin Hung, a citizen of the United States.

MOTOI KANO

The bill (S. 639) for the relief of Motoi Kano was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Motoi Kano, a minor Japanese child, shall be considered the alien natural-born child of Dixon Y. Miyauchi, a citizen of the United States.

ALBERT WALTON

The bill (S. 740) for the relief of Albert Walton was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 331 of the Nationality Act of 1940, as amended, and if otherwise eligible under all other provisions of the said act, Albert Walton may file the petition for naturalization prescribed by law.

MITSUKO SAKATA LORD

The bill (S. 811) for the relief of Mitsuko Sakata Lord was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Mitsuko Sakata Lord, the wife of Peter J. Lord, a United States citizen, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

RALPH ALBRECHT HSIAO

The bill (S. 971) for the relief of Ralph Albrecht Hsiao was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, the provisions of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the alien Ralph Albrecht Hsiao, the minor unmarried child of Valley A. Udick, a citizen of the United States.

AGNES ANDERSON

The bill (S. 985) for the relief of Agnes Anderson was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Agnes Anderson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such

alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MISAO KONISHI

The bill (S. 1120) for the relief of Misao Konishi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Misao Konishi, a minor Japanese child, shall be considered the alien natural-born child of Sgt. and Mrs. Harvey L. Houser, citizens of the United States.

BARBARA ANN KOPPIUS

The bill (S. 1256) for the relief of Barbara Ann Koppius was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Barbara Ann Koppius, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year such quota is available.

FRANCISCA QUINONES

The bill (S. 1323) for the relief of Francisca Quinones was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Francisca Quinones shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

THE TOWN OF MOUNT DESERT, MAINE

The bill (S. 1482) for the relief of the town of Mount Desert, Maine, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the town of Mount Desert, Maine, the sum of \$26,986.60. The payment of such sum shall be in full settlement of all claims of such town against the United States for reimbursement of expenditures made by such town in combating a forest fire in the Acadia National Park from October 24, to November 1, 1947: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this

act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

DANIEL J. CROWLEY

The bill (S. 1682) for the relief of Daniel J. Crowley was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Daniel J. Crowley, 225 Frye Avenue, Peoria, Ill., the sum of \$4,439.10 in full satisfaction of his claim against the United States for reimbursement of medical, nursing, and hospital expenses suffered by him as the result of being hospitalized with poliomyelitis on April 1, 1946, while on authorized leave from his duties as a commissioned officer in the United States Naval Reserve: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

ASCANIO COLLODEL

The bill (S. 1934) for the relief of Ascanio Colloedel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ascanio Colloedel shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota officer to deduct one number from the appropriate quota for the first year that such quota is available.

JOSEPH FLURY PALUY

The Senate proceeded to consider the bill (S. 43) for the relief of Joseph Flury Paluy, which has been reported from the Committee on the Judiciary with an amendment in line 5, after the name "Joseph", to strike out "Fleury" and insert "Flury", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917, as amended (8 U. S. C. 136 (e)), Joseph Flury Paluy, of Paris, France, may be admitted to the United States for permanent residence provided he is found otherwise admissible under the provisions of the immigration laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BERTA GOMES LEITE

The Senate proceeded to consider the bill (S. 828) for the relief of Berta Gomes Leite, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 7, after the word "laws", to insert a colon and the following proviso: "*Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney

General, in such amount and containing such conditions as he may prescribe, to the United States, and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Berta Gomes Leite becoming a public charge", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of the ninth category of section 3 of the Immigration Act of 1917, as amended, Berta Gomes Leite may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws: *Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Berta Gomes Leite becoming a public charge.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DR. YAU SHUN LEUNG

The Senate proceeded to consider the bill (S. 295) for the relief of Dr. Yau Shun Leung, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Dr. Yau Shun Leung shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control office to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROY Y. SHIOMI

The Senate proceeded to consider the bill (S. 904) for the relief of Roy Y. Shiomi, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, which excludes from admission into the United States persons who are ineligible to citizenship, Roy Y. Shiomi, the spouse of an American citizen, may be admitted to the United States for permanent residence if otherwise admissible under the provisions of the immigration laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BERNARD KENJI TACHIBANA

The bill (S. 931) for the relief of Bernard Kenji Tachibana was considered, ordered to be engrossed for a third read-

ing, read the third time, and passed, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, Bernard Kenji Tachibana, the minor child of Mrs. J. W. Carter, a United States citizen, may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of the immigration laws.

KIM SONG NORE

The Senate proceeded to consider the bill (S. 1236) for the relief of Kim Song Nore, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of law relating to inadmissibility of aliens because of race, Kim Song Nore may be admitted to the United States for permanent residence if he is otherwise admissible under the immigration laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENG-SIU MEI

The Senate proceeded to consider the bill (S. 1280) for the relief of the minor child, Peng-siu Mei, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 2 of the act of December 17, 1943, as amended (57 Stat. 601; 60 Stat. 975, 8 U. S. C. 212 (a)), the minor child, Peng-siu Mei, may be admitted to the United States as a nonquota immigrant if such alien is otherwise admissible under the immigration laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRUMAN W. McCULLOUGH

The Senate proceeded to consider the bill (S. 1604) for the relief of Truman W. McCullough, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "of", to strike out "\$10,000" and insert "\$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Truman W. McCullough, of Colorado Springs, Colo., the sum of \$5,000 in full satisfaction of all claims of the said Truman W. McCullough against the United States for compensation for the death of his minor son, Harley Beryl McCullough, who died as a result of burns sustained while fighting a forest fire as a volunteer fire fighter, at Camp Carson, Colo., on January 17, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PANSY E. PENDERGRASS

The Senate proceeded to consider the bill (S. 1668) for the relief of Pansy E. Pendergrass, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$25,000" and insert "\$10,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pansy E. Pendergrass, of Columbia, S. C., the sum of \$10,000, in full satisfaction of her claim against the United States for injuries suffered by her in a fire which occurred in the hotel in which she was billeted in Kobe, Japan, on April 22, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY BONGART AND EVELYN BONGART

The Senate proceeded to consider the bill (S. 1909) for the relief of Henry Bongart and Evelyn Bongart, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 7, after the word "state", to insert a colon and the following proviso: "*Provided*, That the said Henry Bongart and Evelyn Bongart return to the United States for permanent residence within a period of 1 year following the effective date of this act", so as to make the bill read:

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Henry Bongart and Evelyn Bongart shall not be held to have lost United States citizenship under any of the provisions of the Nationality Act of 1940 providing for loss of citizenship through continuous residence in a foreign state: *Provided*, That the said Henry Bongart and Evelyn Bongart return to the United States for permanent residence within a period of 1 year following the effective date of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOE KOSAKA

The Senate proceeded to consider the bill (S. 2095) for the relief of Joe Kosaka, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions of law excluding from admission into the United States persons of races ineligible to citizenship, Joe Kosaka shall be held and considered to be the natural-born alien

child of Herman W. Hearn and his wife, Marylyn Jeanne Hearn, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALICE IBRAHIM HANNAN IBRAHIM AND OTHERS

The Senate proceeded to consider the bill (S. 839) for the relief of Alice Ibrahim Hannan Ibrahim, Yacoub Mayous Muhannad Elliyan, Affeh Michail Jiries Issa Matar, Ellen Issa Zakaria, Ruth Naomi Schut, and Roseileen Schut, which had been reported from the Committee on the Judiciary with amendments on page 1, line 4, after the name "Ibrahim", where it occurs the second time, to strike out "Yacoub Mayous Muhannad Elliyan, Affeh Michail Kiries Issa Matar", and on page 2, line 5, after the word "available", to insert "*Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Alice Ibrahim Hannan Ibrahim, Ellen Issa Zakaria, Ruth Naomi Schut, and Roseileen Schut becoming public charges"; so as to make the bill read:

Be it enacted, etc., That, for the purpose of the immigration and naturalization laws, Alice Ibrahim Hannan Ibrahim, Ellen Issa Zakaria, Ruth Naomi Schut, and Roseileen Schut shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required number from the appropriate quota or quotas for the first year that such quota or quotas are available: *Provided*, That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Alice Ibrahim Hannan Ibrahim, Ellen Issa Zakaria, Ruth Naomi Schut, and Roseileen Schut becoming public charges.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Alice Ibrahim Hannan Ibrahim, Ellen Issa Zakaria, Ruth Naomi Schut, and Roseileen Schut."

MARIA RHEE AND MRS. SEUNGHWA AHN, AND MOO HEI AHN

The Senate proceeded to consider the bill (S. 1052) for the relief of Maria Rhee, Mrs. Seunghwa Ahn, and Moo Hei Ahn, which had been reported from

the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the immigration and naturalization laws, Maria Rhee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Maria Rhee."

EXTENSION OF YOUTH CORRECTION ACT TO THE DISTRICT OF COLUMBIA—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 1184) to extend the Youth Correction Act to the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPEL. May we have an explanation of the bill?

Mr. McCARRAN. Mr. President, this is a general bill to amend the Federal Youth Corrections Act so as to extend its provisions to the District of Columbia. The provisions of the Federal Youth Corrections Act are not in dispute. The only question involved is whether this act should be applied to the District of Columbia.

Three problems which gave rise to objections and prevented the inclusion of the District of Columbia in the original act were: (1) That a serious budgetary problem might arise; (2) that the method of sentencing convicted persons in the District of Columbia is different from that used in other district courts; and (3) the District of Columbia has a separate parole board.

The problems which arose due to the method of sentencing in the District of Columbia and the separate parole board have been solved by the language of this bill. The separate parole board may still function, in its own sphere, as the applicability of the Youth Corrections Act is discretionary with the judge. Similarly the fact that the Youth Corrections Act is discretionary with the judge has bypassed the problem inherent in the method of sentencing persons convicted in the District of Columbia.

The budgetary problem does not present the difficulty that was originally anticipated. If the provisions of this act are employed in regard to 100 persons—approximate average number convicted in this age group—the cost will be slightly less than \$20,000 a year. These figures were submitted by the special committee of the American Bar Association on improving the administration of justice in the District of Columbia.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPPEL. I have no objection.

Mr. CASE. Mr. President, reserving the right to object, may I ask the chairman of the Judiciary Committee whether this bill bears at all upon the problem recently developed in the Juvenile Court of the District of Columbia in respect to the giving out of certain information?

Mr. McCARRAN. It does not.

Mr. CASE. Does the Senator from Nevada know whether any members of the Judiciary Subcommittee of the Committee on the District of Columbia have gone into this bill?

Mr. McCARRAN. No; I do not know.

Mr. CASE. I have no objection to the bill personally, Mr. President.

Mr. McCARRAN. The Senator from New Jersey [Mr. HENDRICKSON] is on both committees; I believe he is on both the Judiciary Committee and the Committee on the District of Columbia.

Mr. CASE. He was last year.

Mr. McCARRAN. Perhaps he will know whether the matter is before the Committee on the District of Columbia.

Mr. HENDRICKSON. Mr. President, I am no longer a member of the Committee on the District of Columbia.

Mr. McCARRAN. I apologize.

Mr. CASE. Mr. President, I have no personal objection to the bill. However, in view of the fact that we have a Judiciary Subcommittee of the Committee on the District of Columbia, I should like to have an opportunity to confer with its members.

I wonder whether there would be any objection to having the bill go over at this time.

Mr. McCARRAN. Does the Senator from South Dakota wish to have the bill go over to the next call of the calendar, or does he wish to have the bill placed at the foot of the calendar?

Mr. CASE. If I am able to see some of the members of that subcommittee this afternoon, I shall be glad to have the bill discussed later.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Without objection, the bill will be placed at the foot of the calendar.

ARTHUR E. HACKETT

The bill (H. R. 794) for the relief of Arthur E. Hackett was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, this bill waives the statute of limitations, as I understand.

Mr. McCARRAN. Mr. President, this measure will allow the claimant, Arthur E. Hackett, to file his claim for employees compensation for injuries received in line of duty. The injuries occurred on September 30, 1931, and the evidence shows that a notice of injury was filed by Mr. Hackett with the Pine Ridge Agency of the United States Indian Service on December 19, 1933. While the law requires that a written notice of injury should be filed within 1 year of the date of injury, the claimant did not know the extent of his injury until after the 1-year period and there appeared evidence to the effect that his notice was never sent in to the Bureau of Employees

Compensation until January 17, 1949. It would, therefore, appear that some negligence existed on the part of the Government in connection with the transmission of this claim.

The committee was of the opinion that in order that no injustice be done to this claimant, the claimant should at least have the right to have his claim considered. The committee therefore recommends favorable consideration of the bill.

Mr. HENDRICKSON. Mr. President, I take it that the distinguished Senator from Nevada feels that the waiver of the statute of limitations is justified in this instance.

Mr. McCARRAN. Yes, in this instance I do.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 794) was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. MIROSLAV KUDRAT

The bill (H. R. 1252) for the relief of Mr. and Mrs. Miroslav Kudrat was considered, ordered to a third reading, read the third time, and passed.

FRANZ GEYLING

The bill (H. R. 1413) for the relief of Franz Geyling was considered, ordered to a third reading, read the third time, and passed.

N. H. KELLEY AND OTHERS

The bill (H. R. 1596) for the relief of N. H. Kelley, Bernice Kelley, Clyde D. Farquhar, and Gladys Farquhar, was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, I think this is another instance in which the statute of limitations will be tolled. May we have an explanation as to the reason therefor?

Mr. McCARRAN. Mr. President, this is Calendar No. 830, House bill 1596. This bill would let four persons have a determination made of their individual liability for income taxes for the taxable year 1934.

These claimants were sole stockholders of the firm of Baker, Kelley, & MacLaughlin, Inc., which was liquidated pursuant to a plan of complete liquidation. Under section 112 (b) (7) (A) of the Internal Revenue Code, they were entitled to certain tax benefits, provided claim therefor was filed within 30 days of the adoption of the plan of liquidation.

These claimants gave instructions to their accounting firm to comply with the law in this respect. Through no fault of their own, but through the fault of their agents, the formal notice of election was not actually filed until approximately 8 days after the expiration of the 30-day period provided by law.

On the ground that the fault was not that of the claimants, this proposed legislation will allow the filing of the election to be treated as though within the proper time, in order that there may be a determination of the case on the merits.

The committee is of the opinion that to do otherwise would be to impose upon these claimants an injustice.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 1596) was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF NORA B. KENNEDY, DECEASED, AND MRS. ANN R. NORTON

The bill (H. R. 3430) for the relief of the estate of Nora B. Kennedy, deceased, and Mrs. Ann R. Norton was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF JAKE JONES

The bill (H. R. 4154) for the relief of the estate of Jake Jones, deceased, was considered, ordered to a third reading, read the third time, and passed.

LEWYT CORP.

The bill (H. R. 4931) for the relief of the Lewyt Corp. was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Reserving the right to object, I wonder whether the distinguished Senator from Nevada will inform the Senate whether any profits are reflected in the relief sought to be obtained in this instance.

Mr. McCARRAN. Mr. President, the committee files show a definite statement that there is no element of profit in this amount. The claimant will still be out of pocket after this sum is paid. The sum was not computed on the basis of total loss, but was limited to the difference between this claimant's bid and the next lowest bid.

Mr. HENDRICKSON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4931) was considered, ordered to a third reading, read the third time, and passed.

LOUIS R. CHADBOURNE

The Senate proceeded to consider the bill (H. R. 971) for the relief of Louis R. Chadbourne, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the name "Massachusetts", to strike out "the sum of \$8,923.92. The payment of such sum shall be in full settlement of all claims of the said Louis R. Chadbourne against the United States as retroactive retirement pay from March 1, 1949, to the date of his release from active duty September 19, 1945" and insert "a sum equal to the amount he would have received as retirement pay from the date of his release from active duty to March 1, 1949, had he been retired on the date of his release from active duty, in full settlement of all claims against the United States for such pay."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

RHODA AKIKO NISHIYAMA

The Senate proceeded to consider the bill (H. R. 1236) for the relief of Rhoda Akiko Nishiyama, which had been reported from the Committee on the Judiciary with an amendment in line six, after the name "States", to strike out "shall be deemed to be nonquota immigrant if otherwise admissible under the immigration laws" and insert "may be admitted to the United States for permanent residence if otherwise admissible under the immigration laws."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS BARRON

The resolution (S. Res. 216) to refer to the Court of Claims the bill (S. 1051) for the relief of Thomas Barron was considered and agreed to, as follows:

Resolved, That the bill (S. 1051) for the relief of Thomas Barron, now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

COMPACT BETWEEN MONTANA, NORTH DAKOTA, AND WYOMING RELATING TO YELLOWSTONE RIVER

The bill (S. 1311) granting the consent of Congress to a compact entered into by the States of Montana, North Dakota, and Wyoming, relating to the waters of the Yellowstone River, was announced as next in order.

Mr. SCHOEPPPEL. Mr. President, reserving the right to object, may we have an explanation of the bill, please?

Mr. O'MAHONEY. Mr. President, I have just come to the floor. May I ask what the calendar number of the bill is?

The PRESIDING OFFICER. It is Calendar No. 837.

Mr. O'MAHONEY. Mr. President, several years ago the Congress passed a bill authorizing the States of Montana and Wyoming to enter into an agreement with respect to the disposal and utilization of the waters of the Yellowstone River. Under the procedure prescribed by that measure, each of the States was required to appoint commissioners and a commissioner was named to represent the Government of the United States. They held their sessions and came to an agreement.

The compact was satisfactory to the two States involved, and it is now here for approval by the Congress.

That, in brief, is the purpose and effect of the bill.

The bill deals with the use of the water of this stream, which rises in Wyoming and flows into the State of Montana. The agreement, signed on behalf of both States and by the commissioner appointed in behalf of the United States, is set forth at length in the report.

Mr. SCHOEPPPEL. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1311) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of the Congress is hereby given to an interstate compact relating to the waters of the Yellowstone River which was signed (after negotiations in which a representative of the United States duly appointed by the President participated) by the Commissioners for the States of Montana, North Dakota, and Wyoming on December 8, 1950, at Billings, Mont., and which was thereafter ratified by the legislatures of each of the States aforesaid as provided by Public Law 83, Eighty-first Congress, approved June 2, 1949, which compact reads as follows:

"YELLOWSTONE RIVER COMPACT

"The State of Montana, the State of North Dakota, and the State of Wyoming, being moved by consideration of interstate comity, and desiring to remove all causes of present and future controversy between said States and between persons in one and persons in another with respect to the waters of the Yellowstone River and its tributaries, other than waters within or waters which contribute to the flow of streams within the Yellowstone National Park, and desiring to provide for an equitable division and apportionment of such waters, and to encourage the beneficial development and use thereof, acknowledging that in future projects of programs for the regulation, control, and use of water in the Yellowstone River Basin the great importance of water for irrigation in the signatory States shall be recognized, have resolved to conclude a compact as authorized under the act of Congress of the United States of America, approved June 2, 1949 (Public Law 83, 81st Cong., 1st sess.), for the attainment of these purposes, and to that end, through their respective governments, have named as their respective commissioners:

"For the State of Montana: Fred E. Buck, A. W. Bradshaw, H. W. Bunston, John Hersog, John M. Jaruss, Ashton Jones, Chris. Josephson, A. Wallace Kingsbury, P. F. Leonard, Walter M. McLaughlin, Dave M. Manning, Joseph Muggli, Chester E. Onstad, Ed F. Parriott, R. R. Renne, Keith W. Trout;

"For the State of North Dakota: I. A. Acker, Einar H. Dahl, J. J. Walsh;

"For the State of Wyoming: L. C. Bishop, Earl T. Bower, J. Harold Cash, Ben F. Cochran, Ernest J. Goppert, Richard L. Greene, E. C. Gwillim, E. J. Johnson, Lee E. Keith, N. V. Kurtz, Harry L. Littlefield, R. E. McNally, Will G. Metz, Mark N. Partridge, Alonzo R. Shreve, Charles M. Smith, Leonard F. Thornton, M. B. Walker; who, after negotiations participated in by R. J. Newell, appointed as the representative of the United States of America, have agreed upon the following articles, to wit:

"ARTICLE I

"A. Where the name of a State is used in this compact, as a party thereto, it shall be construed to include the individuals, cor-

porations, partnerships, associations, districts, administrative departments, bureaus, political subdivisions, agencies, persons, permittees, appropriators, and all others using, claiming, or in any manner asserting any right to the use of the waters of the Yellowstone River System under the authority of said State.

"B. Any individual, corporation, partnership, association, district, administrative department, bureau, political subdivision, agency, person, permittee, or appropriator authorized by or under the laws of a signatory State, and all others using, claiming, or in any manner asserting any right to the use of the waters of the Yellowstone River system under the authority of said State, shall be subject to the terms of this compact. Where the singular is used in this article, it shall be construed to include the plural.

"ARTICLE II

"A. The State of Montana, the State of North Dakota, and the State of Wyoming are hereinafter designated as "Montana," "North Dakota," and "Wyoming," respectively.

"B. The terms "commission" and "Yellowstone River Compact Commission" mean the agency created as provided herein for the administration of this compact.

"C. The term "Yellowstone River Basin" means areas in Wyoming, Montana, and North Dakota drained by the Yellowstone River and its tributaries, and includes the area in Montana known as Lake Basin, but excludes those lands lying within Yellowstone National Park.

"D. The term "Yellowstone River system" means the Yellowstone River and all of its tributaries, including springs and swamps, from their sources to the mouth of the Yellowstone River near Buford, N. Dak., except those portions thereof which are within or contribute to the flow of streams within the Yellowstone National Park.

"E. The term "tributary" means any stream which in a natural state contributes to the flow of the Yellowstone River, including interstate tributaries and tributaries thereof, but excluding those which are within or contribute to the flow of streams within the Yellowstone National Park.

"F. The term "interstate tributaries" means the Clarks Fork, Yellowstone River; the Bighorn River (except Little Bighorn River); the Tongue River; and the Powder River, whose confluences with the Yellowstone River are respectively at or near the city (or town) of Laurel, Big Horn, Miles City, and Terry, all in the State of Montana.

"G. The terms "divert" and "division" mean the taking or removing of water from the Yellowstone River or any tributary thereof when the water so taken or removed is not returned directly into the channel of the Yellowstone River or of the tributary from which it is taken.

"H. The term "beneficial use" is herein defined to be that use by which the water supply of a drainage basin is depleted when usefully employed by the activities of man.

"I. The term "domestic use" shall mean the use of water by an individual, or by a family unit or household for drinking, cooking, laundering, sanitation, and other personal comforts and necessities; and for the irrigation of a family garden or orchard not exceeding one-half acre in area.

"J. The term "stock water use" shall mean the use of water for livestock and poultry.

"ARTICLE III

"A. It is considered that no commission or administrative body is necessary to administer this compact or divide the waters of the Yellowstone River Basin as between the States of Montana and North Dakota. The provisions of this compact, as between the States of Wyoming and Montana, shall

be administered by a commission composed of one representative from the State of Wyoming and one representative from the State of Montana, to be selected by the Governors of said States as such States may choose, and one representative selected by the Director of the United States Geological Survey or whatever Federal agency may succeed to the functions and duties of that agency, to be appointed by him at the request of the States to sit with the commission and who shall, when present, act as chairman of the commission without vote, except as herein provided.

"B. The salaries and necessary expenses of each State representative shall be paid by the respective State; all other expenses incident to the administration of this compact not borne by the United States shall be allocated to and borne one-half by the State of Wyoming and one-half by the State of Montana.

"C. In addition to other powers and duties herein conferred upon the commission and the members thereof, the jurisdiction of the commission shall include the collection, correlation, and presentation of factual data, the maintenance of records having a bearing upon the administration of this compact, and recommendations to such States upon matters connected with the administration of this compact, and the commission may employ such services and make such expenditures as reasonable and necessary within the limit of funds provided for that purpose by the respective States, and shall compile a report for each year ending September 30 and transmit it to the Governors of the signatory States on or before December 31 of each year.

"D. The Secretary of the Army; the Secretary of the Interior; the Secretary of Agriculture; the Chairman, Federal Power Commission; the Secretary of Commerce, or comparable officers of whatever Federal agencies may succeed to the functions and duties of these agencies, and such other Federal officers and officers of appropriate agencies of the signatory States having services or data useful or necessary to the compact commission, shall cooperate, ex officio, with the commission in the execution of its duty in the collection, correlation, and publication of records and data necessary for the proper administration of the compact; and these officers may perform such other services related to the compact as may be mutually agreed upon with the commission.

"E. The Commission shall have power to formulate rules and regulations and to perform any act which they may find necessary to carry out the provisions of this compact, and to amend such rules and regulations. All such rules and regulations shall be filed in the office of the State engineer of each of the signatory States for public inspection.

"F. In case of the failure of the representatives of Wyoming and Montana to unanimously agree on any matter necessary to the proper administration of this compact, then the member selected by the Director of the United States Geological Survey shall have the right to vote upon the matters in disagreement, and such points of disagreement shall then be decided by a majority vote of the representatives of the States of Wyoming and Montana and said member selected by the Director of the United States Geological Survey, each being entitled to one vote.

"G. The Commission herein authorized shall have power to sue and be sued in its official capacity in any Federal court of the signatory States, and may adopt and use an official seal which shall be judicially noticed.

"ARTICLE IV

"The Commission shall itself, or in conjunction with other responsible agencies,

cause to be established, maintained, and operated such suitable water gaging and evaporation stations as it finds necessary in connection with its duties.

"ARTICLE V

"A. Appropriative rights to the beneficial uses of the water of the Yellowstone River system existing in each signatory State as of January 1, 1950, shall continue to be enjoyed in accordance with the laws governing the acquisition and use of water under the doctrine of appropriation.

"B. Of the unused and unappropriated waters of the interstate tributaries of the Yellowstone River as of January 1, 1950, there is allocated to each signatory State such quantity of that water as shall be necessary to provide supplemental water supplies for the rights described in paragraph A of this article V, such supplemental rights to be acquired and enjoyed in accordance with the laws governing the acquisition and use of water under the doctrine of appropriation, and the remainder of the unused and unappropriated water is allocated to each State for storage or direct diversions for beneficial use on new lands or for other purposes as follows:

"1. Clarks Fork, Yellowstone River: (a) To Wyoming, 60 percent; to Montana, 40 percent. (b) The point of measurement shall be below the last diversion from Clarks Fork above Rock Creek.

"2. Bighorn River (exclusive of Little Bighorn River): (a) To Wyoming, 80 percent; to Montana, 20 percent. (b) The point of measurement shall be below the last diversion from the Bighorn River above its junction with the Yellowstone River, and the inflow of the Little Bighorn River shall be excluded from the quantity of water subject to allocation.

"3. Tongue River: (a) To Wyoming, 40 percent; to Montana, 60 percent. (b) The point of measurement shall be below the last diversion from the Tongue River above its junction with the Yellowstone River.

"4. Powder River (including the Little Powder River): (a) To Wyoming, 42 percent; to Montana, 58 percent. (b) The point of measurement shall be below the last diversion from the Powder River above its junction with the Yellowstone River.

"C. The quantity of water subject to the percentage allocations, in paragraph B 1, 2, 3, and 4 of this article V, shall be determined on an annual water year basis measured from October 1 of any year through September 30 of the succeeding year. The quantity to which the percentage factors shall be applied through a given date in any water year shall be, in acre-feet, equal to the algebraic sum of:

"1. The total diversions, in acre-feet, above the point of measurement, for irrigation, municipal, and industrial uses in Wyoming and Montana developed after January 1, 1950, during the period from October 1 to that given date;

"2. The net change in storage, in acre-feet, in all reservoirs in Wyoming and Montana above the point of measurement completed subsequent to January 1, 1950, during the period from October 1 to that given date;

"3. The net change in storage, in acre-feet, in existing reservoirs in Wyoming and Montana above the point of measurement, which is used for irrigation, municipal, and industrial purposes developed after January 1, 1950, during the period October 1 to that given date;

"4. The quantity of water, in acre-feet, that passed the point of measurement in the stream during the period from October 1 to that given date.

"D. All existing rights to the beneficial use of waters of the Yellowstone River in the States of Montana and North Dakota, below

Intake, Mont., valid under the laws of these States as of January 1, 1950, are hereby recognized and shall be and remain unimpaired by this compact. During the period May 1 to September 30, inclusive, of each year, lands within Montana and North Dakota shall be entitled to the beneficial use of the flow of waters of the Yellowstone River below Intake, Mont., on a proportionate basis of acreage irrigated. Waters of tributary streams, having their origin in either Montana or North Dakota, situated entirely in said respective States and flowing into the Yellowstone River below Intake, Mont., are allotted to the respective States in which situated.

"E. There are hereby excluded from the provisions of this compact:

"1. Existing and future domestic and stock water uses of water: *Provided*, That the capacity of any reservoir for stock water so excluded shall not exceed 20 acre-feet;

"2. Devices and facilities for the control and regulation of surface waters.

"F. From time to time the Commission shall reexamine the allocations herein made and upon unanimous agreement may recommend modifications therein as are fair, just, and equitable, giving consideration among other factors to: Priorities of water rights; acreage irrigated; acreage irrigable under existing works; and potentially irrigable lands.

"ARTICLE VI

"Nothing contained in this compact shall be so construed or interpreted as to affect adversely any rights to the use of the waters of Yellowstone River and its tributaries owned by or for Indians, Indian tribes, and their reservations.

"ARTICLE VII

"A. A lower signatory State shall have the right, by compliance with the laws of an upper signatory State, except as to legislative consent, to file application for and receive permits to appropriate and use any waters in the Yellowstone River system not specifically apportioned to or appropriated by such upper State as provided in article V; and to construct or participate in the construction and use of any dam, storage reservoir, or diversion works in such upper State for the purpose of conserving and regulating water that may be apportioned to or appropriated by the lower State: *Provided*, That such right is subject to the rights of the upper State to control, regulate, and use the water apportioned to and appropriated by it: *And provided further*, That should an upper State elect, it may share in the use of any such facilities constructed by a lower State to the extent of its reasonable needs upon assuming or guaranteeing payment of its proportionate share of the cost of the construction, operation, and maintenance. This provision shall apply with equal force and effect to an upper State in the circumstance of the necessity of the acquisition of rights by an upper State in a lower State.

"B. Each claim hereafter initiated for an appropriation of water in one signatory State for use in another signatory State shall be filed in the office of the State engineer of the signatory State in which the water is to be diverted, and a duplicate copy of the application or notice shall be filed in the office of the State engineer of the signatory State in which the water is to be used.

"C. Appropriations may hereafter be adjudicated in the State in which the water is diverted, and where a portion or all of the lands irrigated are in another signatory State, such adjudications shall be confirmed in that State by the proper authority. Each adjudication is to conform with the laws of the State where the water is diverted and shall be recorded in the county and State where the water is used.

"D. The use of water allocated under article V of this compact for projects constructed after the date of this compact by the United States of America or any of its agencies or instrumentalities, shall be charged as a use by the State in which the use is made: *Provided*, That such use incident to the diversion, impounding, or conveyance of water in one State for use in another shall be charged to such latter State.

"ARTICLE VIII

"A lower signatory State shall have the right to acquire in an upper State by purchase, or through exercise of the power of eminent domain, such lands, easements, and rights-of-way for the construction, operation, and maintenance of pumping plants, storage reservoirs, canals, conduits, and appurtenant works as may be required for the enjoyment of the privileges granted herein to such lower State. This provision shall apply with equal force and effect to an upper State in the circumstance of the necessity of the acquisition of rights by an upper State in a lower State.

"ARTICLE IX

"Should any facilities be constructed by a lower signatory State in an upper signatory State under the provisions of article VII, the construction, operation, repairs, and replacements of such facilities shall be subject to the laws of the upper State. This provision shall apply with equal force and effect to an upper State in the circumstance of the necessity of the acquisition of rights by an upper State in a lower State.

"ARTICLE X

"No water shall be diverted from the Yellowstone River Basin without the unanimous consent of all the signatory States. In the event water from another river basin shall be imported into the Yellowstone River Basin or transferred from one tributary basin to another by the United States of America, Montana, North Dakota, or Wyoming, or any of them jointly, the State having the right to the use of such water shall be given proper credit therefor in determining its share of the water apportioned in accordance with article V herein.

"ARTICLE XI

"The provisions of this compact shall remain in full force and effect until amended in the same manner as it is required to be ratified to become operative as provided in article XV.

"ARTICLE XII

"This compact may be terminated at any time by unanimous consent of the signatory States, and upon such termination all rights then established hereunder shall continue unimpaired.

"ARTICLE XIII

"Nothing in this compact shall be construed to limit or prevent any State from instituting or maintaining any action or proceeding, legal or equitable, in any Federal court or the United States Supreme Court, for the protection of any right under this compact or the enforcement of any of its provisions.

"ARTICLE XIV

"The physical and other conditions characteristic of the Yellowstone River and peculiar to the territory drained and served thereby and to the development thereof, have actuated the signatory States in the consummation of this compact, and none of them, nor the United States of America by its consent and approval, concedes thereby the establishment of any general principle or precedent with respect to other interstate streams.

"ARTICLE XV

"This compact shall become operative when approved by the legislature of each of

the signatory States and consented to and approved by the Congress of the United States.

"ARTICLE XVI

"Nothing in this compact shall be deemed:

"(a) To impair or affect the sovereignty or jurisdiction of the United States of America in or over the area of waters affected by such compact, any rights or powers of the United States of America, its agencies, or instrumentalities, in and to the use of the waters of the Yellowstone River Basin nor its capacity to acquire rights in and to the use of said waters;

"(b) To subject any property of the United States of America, its agencies, or instrumentalities to taxation by any State or subdivision thereof, nor to create an obligation on the part of the United States of America, its agencies, or instrumentalities, by reason of the acquisition, construction, or operation of any property or works of whatsoever kind, to make any payments to any State or political subdivision thereof, State agency, municipality, or entity whatsoever in reimbursement for the loss of taxes;

"(c) To subject any property of the United States of America, its agencies, or instrumentalities, to the laws of any State to an extent other than the extent to which these laws would apply without regard to the compact.

"ARTICLE XVII

"Should a court of competent jurisdiction hold any part of this compact to be contrary to the constitution of any signatory State or of the United States of America, all other severable provisions of this compact shall continue in full force and effect.

"ARTICLE XVIII

"No sentence, phrase, or clause in this compact or any any provisions thereof, shall be construed or interpreted to divest any signatory State or any of the agencies or officers of such States of the jurisdiction of the water of each State as apportioned in this compact."

"In witness whereof the Commissioners have signed this compact in quadruplicate original, one of which shall be filed in the archives of the Department of State of the United States of America and shall be deemed the authoritative original, and of which a duly certified copy shall be forwarded to the Governor of each signatory State.

"Done at the city of Billings in the State of Montana, this 8th day of December, in the year of our Lord 1950.

"Commissioners for the State of Montana: Fred E. Buck, A. W. Bradshaw, H. W. Bunston, John Herzog, John M. Jarussi, Ashton Jones, Chris Josephson, A. Wallace Kingsbury, P. F. Leonard, Walter M. McLaughlin, Dave M. Manning, Joseph Muggli, Chester E. Onstad, Ed F. Parriott, R. R. Renne, Keith W. Trout.

"Commissioners for the State of North Dakota: I. A. Acker, Einar H. Dahl, J. J. Walsh.

"Commissioners for the State of Wyoming: L. C. Bishop, Earl T. Bower, J. Harold Cash, Ben F. Cochran, Ernest J. Goppert, Richard L. Greene, E. C. Gwillim, E. J. Johnson, Lee E. Keith, N. V. Kurtz, Harry L. Littlefield, R. E. McNally, Will G. Metz, Mark N. Partridge, Alonzo R. Shreve, Charles M. Smith, Leonard F. Thornton, M. B. Walker.

"I have participated in the negotiation of this compact and intend to report favorably thereon to the Congress of the United States.

"R. J. NEWELL,

"Representative of the United States of America."

SEC. 2. The right to alter, amend, or repeal section 1 of this act is expressly reserved. This reservation shall not be construed to

prevent the vesting of rights to the use of water pursuant to applicable law and no alteration, amendment, or repeal of section 1 of this act shall be held to affect rights so vested.

REMISSION OR MITIGATION OF FORFEITURES UNDER THE INDIAN LIQUOR LAWS

The bill (H. R. 1087) to amend title 18, United States Code, entitled "Crimes and Criminal Procedure," to empower the courts to remit or mitigate forfeitures under the Indian liquor laws was considered, ordered to a third reading, read the third time, and passed.

SALE OR OTHERWISE OF CERTAIN LANDS IN FLORIDA

The bill (H. R. 2684) to provide for the sale, transfer, or quitclaim of title to certain lands in Florida was announced as next in order.

THE PRESIDING OFFICER. Is there objection?

Mr. HENDRICKSON. Mr. President, may we have a brief explanation?

Mr. HOLLAND. Mr. President, for my colleague and myself I wish to say that this bill has to do with a strip of land on the seacoast of west Florida, near the city of Panama City, containing but a few acres, or perhaps only a fraction of an acre; the record does not show how much. But the strip lies between the old meander line of the survey and the actual water line of the Gulf. The area has been built up with summer cottages, and the question of the title to that strip is the thing which is in issue. This bill has the full approval of the Department of the Interior. As a matter of fact, they helped in the drafting of the bill. The bill gives consent for a survey to determine whether this strip of land is unsurveyed public land or whether it is an accretion to the land as it existed at the time of the original survey, and the question is whether it is public land or not. If it is public land, then it will be offered for sale to the adjoining property owners at the fair assessed value, and that value will be paid. If it is not public land but an accretion to the private landowners' holdings, of course the bill gives authority for quitclaiming of the title to the private owner. Of the two methods, one or the other is available to completely perfect the title, and the survey must be had before it can be determined which method would be applicable.

Mr. HENDRICKSON. I thank the Senator.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. STENNIS. What is the acreage involved in this bill, with reference to the amount of land?

Mr. HOLLAND. I am sorry that the report does not show, but it is so inconsequential that that was not the question at all. The question was whether the land on which these cottages are built actually extends to the water's edge. There is a slender strip of land between the meander line shown on the

survey and the actual present water line of the Gulf.

Mr. STENNIS. Would the Senator from Florida say it is less than an acre?

Mr. HOLLAND. No; the Senator from Florida is not able to say. He is able to say that it is an unsubstantial amount, not sufficient to have extended from one quarter section line to another. It is a very minor matter, regarding which there is full approval by the Department of the Interior, which cannot make this survey without passage of this bill.

Mr. STENNIS. Mr. President, if the Senator will yield further, does it involve less than 5 acres?

Mr. HOLLAND. The Senator would be glad to give the exact acreage if he had it, but he is sorry that he does not. He does know that the amount is unsubstantial, so far as the acreage is concerned. The only substantial point in the question is whether the title to the lots on which these vacation cottages are situated extends to the salt water or is cut off by a narrow strip; and the only way to determine that fact is through the making of a survey.

Mr. STENNIS. Mr. President, if the Senator will yield further, the bill provides for a sale, does it not?

Mr. HOLLAND. The bill provides for a sale at the true value to be fixed by the Department of the Interior, in the event the lands are found to be unsurveyed public lands. But if the lands are found to be simply accretions to the privately owned lands along the Gulf, long ago conveyed by the Government, then the bill would permit of a quitclaiming of that to which the Government has no right or title.

The matter involves purely a technical correction of title, and I am sure that the distinguished chairman of the Committee on Interior and Insular Affairs can give a complete clearance to this bill, because, as he and I know, it was held up because of the pendency of the tidelands question for a very close checking by the attorneys general who were interested in that question, and by the attorneys for the Government, who were equally interested in it, and it was found to be a purely technical, inconsequential question.

Mr. O'MAHONEY. Mr. President, will the Senator from Florida yield.

Mr. HOLLAND. I am glad to yield to the Senator from Wyoming.

Mr. O'MAHONEY. I may say that the area was so insubstantial that the Department of the Interior never thought it worth while to survey the lands. The request for the bill proceeds from the owners of the contiguous lands, and it is for the purpose of determining whether the United States has any unsurveyed lands there. So that the survey itself is a guaranty of the protection of the United States, but the fact that this is between the meander line and the shore line is one which must be determined in order that the titles may be cleared up.

Mr. STENNIS. Mr. President, if the Senator will yield for a question, is the property substantial in value?

Mr. O'MAHONEY. No.

Mr. STENNIS. A substantial value is not involved?

Mr. O'MAHONEY. No substantial value is involved.

Mr. HOLLAND. There is no substantial value and there is no substantial acreage. The Department of the Interior was unwilling to finance a survey without passage of this bill, and the guaranty of the private property owners that they would put up the cost of the survey, which condition is provided by the bill.

Mr. O'MAHONEY. Mr. President, it ought to be added that the bill requires an appraisal of the lands, if they are found to be public lands.

Mr. HOLLAND. That is correct.

Mr. O'MAHONEY. I suggest, Mr. President, that the full text of the report which was made by the junior Senator from Florida [Mr. SMATHERS], as a member of the Committee on Interior and Insular Affairs should be printed in the RECORD at this point, and I ask unanimous consent that that may be done.

There being no objection, the report (No. 886) was ordered to be printed in the RECORD, as follows:

The Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 2684) to provide for the sale, transfer, or quitclaim of title to certain lands in Florida, having considered the same, report favorably thereon without amendment and with the recommendation that the bill do pass.

The purpose of the bill is to authorize the Secretary of the Interior to make an investigation to determine whether certain lands on the shore of the Gulf of Mexico are unsurveyed public lands. A companion bill was introduced in the Senate (S. 767) by Senator HOLLAND, of Florida.

The adjoining uplands which have been patented to private ownership are described as T. 6 S., R. 12 W., Tallahassee meridian, Florida. If the Secretary finds that the shorelands are unsurveyed public lands, H. R. 2684 would require him to survey, appraise, and sell such lands to the persons who owned the adjoining uplands as of October 2, 1946. If the shorelands are not found to be unsurveyed public lands, the Secretary shall quitclaim the lands to the adjoining upland owner.

The bill also authorizes the Secretary to accept contributions to carry out the provisions of the act.

Only an investigation of these lands can disclose whether these shorelands are unsurveyed public lands. Ordinarily the water line itself constitutes the boundary of the land rather than the meander line. Failure of the survey to include within the meander line small, irregular areas of land does not invalidate title to the shorelands. The general rule that the water line constitutes the boundary of the land is subject to an exception. If there has been a showing of fraud or such gross error as amounts to fraud in the survey, the meander line will constitute the boundary. Title to accretions generally accrue to the upland owner. Where a substantial accretion has occurred after survey prior to entry, a patent thereafter issued to the entryman does not convey the accreted land.

If the shorelands are not unsurveyed public lands, there appears to be no objection to the quitclaim of all interest in the land by the Federal Government in order to help remove any cloud on title to the land. In the absence of any desire by the State of Florida or a political subdivision thereof to utilize

these lands for any public purpose, and if the lands are unsurveyed public lands, it would appear that they could be best utilized by the upland owner. This committee has no information to indicate that the State of Florida or any of its subdivisions is interested in acquiring these lands.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

USE OF CERTAIN LANDS IN CITY OF CANTON, S. DAK.

The Senate proceeded to consider the bill (S. 690) to permit certain lands heretofore conveyed to the city of Canton, S. Dak., for park, recreation, airport, or other public purposes, to be leased by it so long as the income therefrom is used for such purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, after line 2, to strike out:

That the Administrator of General Services is authorized and directed to transfer by quitclaim deed or other appropriate means to the city of Canton, S. Dak., so much of the right, title, and interest remaining in the United States in and to the lands (including buildings and improvements) conveyed to the city of Canton pursuant to the act entitled "An act providing for the conveyance to the city of Canton, S. Dak., of the Canton Insane Asylum, located in Lincoln County, S. Dak." (60 Stat. 998), as may be necessary to permit the city of Canton to lease such lands or any part thereof for private use.

And in lieu thereof to insert:

That the Administrator of General Services be authorized to amend the document of transfer dated October 17, 1946, which conveyed certain lands therein described (including buildings and improvements) to the city of Canton, S. Dak., pursuant to the act entitled "An act providing for the conveyance to the city of Canton, S. Dak., of the Canton Insane Asylum, located in Lincoln County, S. Dak." (60 Stat. 998), as may be necessary to permit the city of Canton to lease such lands or any part thereof for private use.

So as to make the bill read:

Be it enacted, etc., That the Administrator of General Services be authorized to amend the document of transfer dated October 17, 1946, which conveyed certain lands therein described (including buildings and improvements) to the city of Canton, S. Dak., pursuant to the act entitled "An act providing for the conveyance to the city of Canton, S. Dak., of the Canton Insane Asylum, located in Lincoln County, S. Dak." (60 Stat. 998), as may be necessary to permit the city of Canton to lease such lands or any part thereof for private use.

Sec. 2. Rentals derived by the city of Canton from the lands described in this act shall be used for park, recreation, airport, or other public purposes; and the transfer provided for by this act shall be expressly conditioned that if the grantee shall fail or cease to use such rentals for such purposes, title to the lands described in this act shall revert to the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF CERTAIN PRIVILEGES TO REPRESENTATIVES OF MEMBER STATES ON COUNCIL OF THE ORGANIZATION OF AMERICAN STATES

The bill (S. 2042) to extend certain privileges to representatives of member states on the Council of the Organization of American States was announced as next in order.

Mr. SCHOEPEL. Mr. President, may we have an explanation of the bill?

Mr. SPARKMAN. Mr. President—
The PRESIDING OFFICER (Mr. KERR in the chair). The Senator from Alabama.

Mr. SPARKMAN. Mr. President, the purpose of the bill is to remove a discrimination, or a difference which exists in the treatment of certain representatives of American states in Washington. Regular ambassadors and their staffs are given certain privileges and immunities. When the Organization of American States was established, some nations had their regular ambassadors to represent them in the Organization of American States. Others sent additional ambassadors. The privileges and immunities which are extended to all other ambassadors and their staffs are not extended to these extra ambassadors, so that in the Organization of American States there are approximately two-thirds who have the privileges and immunities and one-third who do not. It is merely a slip or an oversight in establishing the Organization of American States. The purpose of the bill is to remove that defect.

Mr. CHAVEZ. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. CHAVEZ. I believe the general purposes of the bill are sound. Can the Senator from Alabama tell us, however, whether the privileges and immunities of ambassadors of member states in the organization apply to other personnel they may bring here?

Mr. SPARKMAN. They apply only to the staff. They become a part of the staff representing a certain country, and there may be within the group representing certain Latin American nations possibly two-thirds enjoying privileges and immunities and one-third not enjoying them.

Mr. CHAVEZ. I do not mind their enjoying the privileges and immunities if they are appropriate, but I object to the abuse of privileges and immunities. Do the privileges and immunities which the Senator has in mind include parking around the Senate Office Building?

Mr. SPARKMAN. I was looking at the report to see if those privileges and immunities are enumerated. I have a letter here in which they are enumerated.

Mr. CHAVEZ. This morning I tried to get out of my parking place to go to the Pentagon Building. It took me 15 minutes to get a so-called diplomatic car out of the way, which was double-parked. I do not believe diplomats should have any more privileges or immunities with regard to violating traffic laws in the District of Columbia than has the Senator from Alabama or the Senator from New Mexico.

Mr. SPARKMAN. I am certain that is not one of the privileges and immunities involved.

Mr. SCHOEPEL. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. SCHOEPEL. Some countries might send a large number of persons to Washington in connection with their staffs. Is it the intention that with reference to groups, each group will be limited, or could it be expanded so that we might get into some difficulty in extending the same rights and privileges in many other places?

Mr. SPARKMAN. I do not believe there is any danger of that. I am sure the Senator realizes that if any particular country wants to expand its staff by additions it has to make application for those particular individuals. If there should be any unusual expansion or extension I am sure our country would take note of it. I do not believe we need be afraid of that.

Mr. CASE. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. CASE. What credentials will these people carry?

Mr. SPARKMAN. They will have to be accredited to their respective organization in the United States, just as is the case with any ambassador or members of his staff.

Mr. CASE. What numbers of persons are involved?

Mr. SPARKMAN. There are 53 non-American staff members now in the directory of the Organization of American States. Approximately 28 are accredited already to their respective embassies in Washington or to the United Nations, and already have diplomatic status. There are only 25 persons affected.

Mr. CASE. The Senator is undoubtedly aware that there has been an occasional mention in the press of diplomatic immunity extended to staff members of representatives of the United Nations. Some think we have gone too far in opening the gate without having some control over the screening of persons who may come. What assurance can the Senator give that this bill would not open up similar problems?

Mr. SPARKMAN. I do not believe it is likely to open up such a problem. I know the problem to which the Senator refers. We must remember that the United Nations presents a different question. It is an organization over which the United States alone does not have control. It is true that it operates within our own country, but we had to enter into agreement that a certain status would be provided for the area around the United Nations, and that representatives from their respective countries would be allowed in that particular area. When it comes to the question of people coming to Washington, the Senator knows that the Government can say "Yes" or "No" to the admission of an individual person.

Mr. CASE. That suggests that there would be the usual visa requirements.

Mr. SPARKMAN. The same requirement is involved which now applies to embassies and embassy staffs. The individuals are already in this country. It

is not a case of letting them in. Twenty-eight of them enjoy the privileges and immunities of all the staff representatives of their countries which have representation here, but there are 25 who are denied those privileges and immunities.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired.

Mr. CHAVEZ. Reserving the right to object, and I would not ordinarily object, I think the Senate is pretty well satisfied that so far as friendship for Latin America is concerned, there is no better friend than is the Senator from New Mexico, but I do not believe that legislation of this type should be passed on the Unanimous Consent Calendar.

I would like to look at it further. Therefore, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SPARKMAN. Mr. President, before the bill goes over, may I ask the Senator from New Mexico if, instead of having the bill go over, he would consent to let it go to the foot of the calendar, until he shall have had an opportunity to read it?

Mr. CHAVEZ. No, I could not make up my mind in 3 hours; and I am a friend of Latin America.

Mr. SPARKMAN. I know that, but what the Senator is doing—

Mr. CHAVEZ. But simply because I happen to be a friend of Latin America, I do not want anyone to come to this country and receive privileges which are not granted to American citizens, including immunity in cases of traffic violations; including double parking, including bumping into a man's home and ruining it and then being let off because of diplomatic immunity. I care not whether they are Latin Americans or British; I am not in favor of such things.

Mr. SPARKMAN. Mr. President, will the Senator yield one more time?

Mr. CHAVEZ. I yield.

Mr. SPARKMAN. I simply want to say that if those privileges are extended to diplomatic representatives it is not because they are given by law. As a matter of fact, what the Senator is doing is to pick out 8 Latin-American countries and say to them, "We are going to treat you differently from the way we are treating the other 12." That is exactly what the Senator's position amounts to.

Mr. CHAVEZ. Mr. President, I am willing to assume that responsibility and to compare my friendship for the Latin-American countries with that of any other Member of this body.

Mr. SPARKMAN. Mr. President, will the Senator yield for one more question?

Mr. CHAVEZ. Yes.

Mr. SPARKMAN. The time is getting short during the present session of Congress. Furthermore the agreement with the American states is due to go into effect very shortly. The matter is set forth so clearly in a letter which I have that I should at least like the Senator from New Mexico to agree to read the letter before he asks that the bill go over until the next call of the calendar.

Mr. CHAVEZ. But, Mr. President, no one is going to be hurt if the bill goes

over at this call of the calendar. There is not a Member present who does not agree that we are going to have another call of the calendar before we adjourn. Hence I do not think it is going to hurt anything whatsoever to allow Senators to look into the matter as to whether they should object to the proposed legislation.

Mr. CAIN. Mr. President, will the Senator yield for a question?

Mr. CHAVEZ. Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HICKENLOOPER subsequently said: Mr. President, a while ago Senate bill 2042, Calendar No. 841 to extend certain privileges to representatives of member states on the Council of the Organization of American States was being discussed. I see the Senator from New Mexico is now on the floor of the Senate. I ask unanimous consent that we may return to consideration of that bill.

Mr. CHAVEZ. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHOEPEL. What is the status of the bill?

The PRESIDING OFFICER. The Senator from Iowa [Mr. HICKENLOOPER] has asked unanimous consent that the Senate return to Senate bill 2042, Calendar No. 841, and that the bill be immediately considered. The Senator from New Mexico objected at the time the bill was reached on the call of the calendar, but now says he has no objection.

Mr. SCHOEPEL. Was it not agreed that the bill should go to the foot of the calendar? Are we to stop every few moments and consider bills which have gone to the foot of the calendar?

The PRESIDING OFFICER. No. At the time the bill was reached the Senator from New Mexico objected to its consideration. He now has withdrawn his objection.

Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2042) to extend certain privileges to representatives of member states on the Council of the Organization of American States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, under such terms and conditions as he shall determine, the President is hereby authorized to extend, or to enter into an agreement extending, to the representatives of member states (other than the United States) on the Council of the Organization of American States, and to members of their staffs, the same privileges and immunities, subject to corresponding conditions and obligations, as are enjoyed by diplomatic envoys accredited to the United States.

BILL PASSED OVER

The bill (S. 1347) to amend the Railroad Retirement Act and the Railroad

Retirement Tax Act, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, reserving the right to object, I do not feel that this bill is calendar legislation. I think it is a measure that should be thoroughly debated and thoroughly considered by the Senate.

The PRESIDING OFFICER. Does the Senator from New Jersey object?

Mr. HENDRICKSON. I ask that the bill go over.

Mr. DOUGLAS. Mr. President, I wonder if the Senator from New Jersey will withhold his objection for a moment until I may explain the bill?

Mr. HENDRICKSON. I shall be very happy to do so.

Mr. DOUGLAS. Mr. President, it is now the 11th of October. If this bill is not passed now it is very likely that at the present session of Congress we shall get no legislation at all for improving the Railroad Retirement Act.

Those who do not favor this particular bill, reported from the Senate Committee on Labor and Public Welfare, seem to favor the bill reported by the House Committee on Interstate and Foreign Commerce, which is now before the House. The House bill will probably be voted upon next week.

In order to get this much-needed legislation through before the end of this session, I hope that Senators who favor the House bill rather than the Senate bill will allow Senate bill 1347 to pass and be willing to take their chances as to the details of the proposed legislation in the conference committee.

The bill reported by the House Interstate and Foreign Commerce Committee provides a simple 15 percent across-the-board increase for pensioners and annuitants, a 33 1/3-percent increase for survivors, and a study of the railroad retirement system in its relationship to Social Security.

Senate bill 1347, as reported by the Senate Labor Committee, also provides for a 15 percent across-the-board increase, as does the House bill, a 33 1/3-percent increase for survivors, as the House bill does, and also for a study of the railroad retirement system, as the House bill does. But it goes further. In order to make the benefits of the railroad retirement system comparable to those of the social-security system, whose participants, for instance, in social security, pay only one-fourth of the amounts of withholding taxes that are paid by the railroad employees, the committee included in its bill a provision for a wives' benefit precisely equal to that provided by the social-security system. There is not now a wives' or spouses' benefit under the railroad-retirement system, although the contributions under that system are four times as great as under the social-security system.

The committee bill also contains a provision that in no case will any railroad employee get benefits less than those he would have received had he been covered by social security.

In other words, it is the aim of the new bill to provide benefits which at a minimum will be equal to social security benefits and which in certain respects will be very much more.

In order to pay for these two provisions, and not to overstrain the fund, the committee felt that it was necessary to increase the revenue of the Railroad Retirement account. The committee did this in two ways. First, the committee provided for an increase in the tax base from the present level of \$300 a month to \$350 a month. This was a compromise with the \$400 figure included in Senate bill 1347 as it was originally introduced. This increase in the tax base from \$300 to \$350, which will bring in approximately \$50,000,000 a year in gross revenue, and which will probably produce a net addition in excess of benefits of approximately \$20,000,000 a year, is probably the major point of difference between those who favor the House committee bill and those who favor the Senate committee bill.

The Senate committee bill also has a provision for paying those with less than 10 years of railroad service social security benefits, with the railway fund turning over to the social-security system the amounts which would have been paid in for these workers had they been under social security.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The time of the Senator from Illinois has expired.

Mr. DOUGLAS. Mr. President, I ask permission that I may speak for two more minutes.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senator from Illinois may continue for two more minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator from Illinois is recognized for two additional minutes.

Mr. DOUGLAS. I thank the Senator from New Jersey very much.

I will not deny that there are very real differences between the House bill and the Senate bill, but unless we pass this proposed legislation in the next few days, it will probably be impossible to get it enacted into law in the present session of Congress. Therefore, I hope the Senator from New Jersey will withdraw his objection, allow the bill to pass on the call of the calendar, and take his chances, along with the rest of us in the conference committee.

Mr. HENDRICKSON. Does the bill represent substantial agreement between the groups affected?

Mr. DOUGLAS. No, it does not. We have tried all summer long to secure agreements between the so-called non-operating unions, the operating unions, and the railway trainmen. The bill reported by the committee made proposals about which we felt that an agreement was possible. The so-called nonoperating unions have agreed to accept the bill as a compromise, but it is not satisfactory to the so-called operating brotherhoods. There are also private organizations which I think are satisfied with the bill.

Mr. HENDRICKSON. Then, Mr. President, I suggest that this is not proposed legislation which should be considered on the mere call of the calendar. I think it should be thoroughly considered and thoroughly discussed.

Mr. DOUGLAS. I may say that the bill reported in the House is the bill favored by the so-called operating brotherhoods. This bill does not go as far as the bill advocated by the nonoperating unions. It "waters down" the nonoperating union bill. Why would it not be possible for the House, if it wishes, to pass whatever bill it desires—quite possibly the operating brotherhood's bill—and for the Senate to pass Senate bill 1347 as altered, and then to have the differences thrashed out in conference? Otherwise, in all probability we shall get no action whatsoever, and the present inadequate benefits for railroad workers will continue, which I think we should avoid.

Mr. KEFAUVER. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

The PRESIDING OFFICER. The additional 2 minutes allowed the Senator from Illinois have expired.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I be given three additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator is recognized for three additional minutes.

Mr. KEFAUVER. Is it not true that the Senator's bill is a compromise between the positions which have been taken by the two groups of brotherhoods? As I understand, both groups of brotherhoods are very anxious that some legislation be passed at this session. Do they not feel that if this bill is passed at this time, with the bill passed by the House, the matter can be worked out in conference, so that the inequity can be adjusted at this session?

Mr. DOUGLAS. I hope very much that the differences can be worked out. We have been trying for most of the summer to do it. The nonoperating unions have accepted the compromise which we have proposed, but the operating unions have not done so as yet.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. Is it not true that in the bill reported by the Senator from Illinois the principal items of the operating brotherhoods' request, the basic factors which the operating brotherhoods want in a bill, are included?

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. What the Senator has done is to supplement that action by including some of the requests or suggestions made by the nonoperating unions. However, the bill does not go as far as the nonoperating brotherhoods wanted us to go.

Mr. DOUGLAS. On the benefit side we have added a wives' benefit of 50 percent of the retired employees' benefit, up to a maximum of \$40. The maximum is the same as is provided for those covered by the Social Security Act. To provide funds for that purpose we have made an

increase in the present maximum tax base from \$300 a month to a new maximum of \$350 a month. This preserves the historic difference between the tax base of the social-security system and the tax base of the railroad retirement system. We have also provided that employees with less than 10 years' service are to be paid benefits from the social security system, with the railroad retirement fund paying into the social-security system an amount equal to that which would have been paid under the system by such employees, and their employers, had they been covered by the Social Security Act. We have taken the operating brotherhoods' proposal and have added a wives' benefit. This does not seem satisfactory to the operating brotherhoods.

Mr. HUMPHREY. The Senator has carefully protected the solvency of the fund.

Mr. DOUGLAS. That is true.

Mr. HUMPHREY. Is it not true that the Senator has been checking into the actuarial soundness of the proposal before the Senate, and has carefully tried to weigh the requirements of benefits from the fund itself?

Mr. DOUGLAS. The actuaries of the Railway Retirement Board estimate that the long-time cost of the proposal now being advanced will be approximately 14.06 percent, whereas the maximum contributions will be 12½ percent. I think there is a very real question about the future financing of the fund, but we have a companion resolution calling for an investigation of both the financing of the fund and the relationship of the railway retirement system to social security. So we do not believe that the resources would be imperiled by the passage of this bill. I think the resources would be imperiled if we were to add a wives' benefit without increasing the tax base. I think it is necessary to increase the tax base and to provide for the transfer of certain funds between social security and railway retirement, in order to provide the wives' benefit.

I merely wish to bring out the fact that the actuarial soundness of the fund has been carefully considered. At the Senator's own suggestion—and I think this proposal was supported by the operating and nonoperating brotherhoods—it was urged that a further study be made so as to guarantee the long-range solvency of this important fund.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

Mr. STENNIS. Mr. President, I ask for the regular order.

The PRESIDING OFFICER. The Senator from New Jersey [Mr. HENDRICKSON] has reserved the right to object. He is entitled to 5 minutes.

Mr. HENDRICKSON. Mr. President, from the colloquy which has ensued, I think it is quite obvious that this is not a bill which should be passed on the call of the calendar. It is clear to me from the discussion between Senators on the other side of the aisle that there are many controversial issues involved in the bill. The report contains 72 pages of fine print. The bill itself is 33 pages

long. It has been on the calendar for just about a week. Although the junior Senator from New Jersey has no personal objection to the bill, he does not think that it is good policy to legislate on a controversial subject during the call of the calendar. I, therefore, object.

The PRESIDING OFFICER. Objection is heard.

The clerk will state the next measure on the calendar.

PROPOSED TERMINATION OF STATE OF WAR BETWEEN THE UNITED STATES AND GERMANY

The joint resolution (H. J. Res. 289) to terminate the state of war between the United States and the Government of Germany was announced as next in order.

Mr. CHAVEZ. Over.

Mr. LEHMAN. Mr. President, reserving the right to object—

The PRESIDING OFFICER. The Senator from New York is recognized under his reservation of objection.

Mr. LEHMAN. Mr. President, if this joint resolution contained nothing but a statement terminating the state of war with Germany, I, of course, would strongly favor it. I would not only vote for it but strongly urge its immediate passage. The resolution as recommended by President Truman and approved by the House carries out the objective of terminating the state of war with Germany. But when the resolution came to the Senate committee it was drastically and unwisely amended.

In general the amendment which was added in committee reopens all the cases of suits by citizens for return of seized enemy property. These suits have been closed and settled for years, by agreement of the parties to the lawsuits. The amendment reopens all these cases solely to give relief to a few persons. I am against the amendment, without reservation.

Even aside from the fact that it serves special privilege, the amendment is bad, because it would harm the purpose of the joint resolution terminating the war. The resolution was sought to be enacted to improve our relations with the friendly Government of Western Germany. That is a government which we have sponsored and protected. It is a government with which we are cooperating in our world-wide effort to defend free nations from Soviet aggression. That government and its citizens—indeed all the Allied governments—will carefully read the resolution terminating the war. They will be puzzled by the amendment reopening alien property lawsuits. When they learn that it is intended to benefit one man or a few men, they will be doubly shocked.

I do not believe that this is a subject which can possibly be debated and considered in the very short time which is permitted under the unanimous-consent calendar. It is a matter which I think should be definitely and carefully considered with the intention of striking out this amendment and allowing the resolution, as recommended by the President and as passed by the House of

Representatives, to be passed in the Senate. To consider the joint resolution as it now stands, with this very unfortunate amendment, in the short time allotted to us, I think would be very dangerous and unfortunate. Therefore I object.

Mr. CASE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York withhold his objection?

Mr. LEHMAN. I do for the moment but my objection will stand.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. CASE. Mr. President, I would agree with the distinguished Senator from New York [Mr. LEHMAN] that this is a matter which has too far-reaching implications to be disposed of on the Consent Calendar. At the same time I wish to go on record as saying that I believe there is nothing which the Senate or Congress could act on which would be more important than passing House Joint Resolution 289, and, so far as the Senate is concerned, to declare that there should be a treaty of peace negotiated with Germany. At the time the President sent his message to Congress and the joint resolution was referred to the Senate Foreign Relations Committee, I submitted an amendment which I intended to offer when the resolution came up for consideration. The amendment would add a section to the bill, reading as follows:

At the end of the joint resolution, it is proposed to insert the following:

"Sec. 2. In furtherance of the purposes of section 1 hereof, the President of the United States hereby is requested to proceed with the negotiation of a treaty of peace between the United States and the Government of Germany and to submit the same for the consideration of the Senate at the earliest practicable date; and the President is advised that it is the sense of the Congress that said treaty of peace should be negotiated jointly with the allies of the United States in the war against Germany except that if such joint negotiations prove impossible or impracticable, the treaty should be negotiated as was the treaty with Japan."

Mr. President, it is my conviction that nothing we could do today would contribute more to insuring the stability of the world than to conclude a treaty of peace with Western Germany, or with all of Germany, if that were possible, and thus stabilize conditions in Europe. The future of the world's peace hangs upon getting a stable situation in Western Europe.

Mr. CHAVEZ. Mr. President, will the Senator yield for a question?

Mr. CASE. Yes.

Mr. CHAVEZ. I believe we could accomplish the objectives which the Senator from South Dakota has in mind by passing the resolution and, if necessary, acting on the amendment offered by the Senator from South Dakota, provided, of course, that the amendment attached to the resolution, which has nothing to do with the ending of the war, be withdrawn.

Mr. CASE. That may be correct, but it seems to me that we need to have more than a unilateral declaration that

the war is at an end. It should be a mutual agreement reached with the Germans, so that they can come into a federation of Western Europe, and thus provide stability to Western Europe and make available the resources which the German people can contribute.

The shooting war with Germany came to an end several months before the shooting ended in the war with Japan. Yet we have already signed a treaty of peace with Japan. From the standpoint of time alone, the treaty with Germany should have been negotiated prior to the treaty with Japan. We ought to proceed to declare the war at an end and to have a treaty of peace signed with Germany. It would win for the friends of General Eisenhower and all peace-loving people the contributions which Germany is able to make by reason of natural resources, manpower, and strategic position in Europe.

Mr. President, I hope that consideration of the resolution will not be too long delayed.

Mr. STENNIS and Mr. LEHMAN addressed the Chair.

Mr. LEHMAN. Do I still have the floor?

The PRESIDING OFFICER. The Senator's reservation to object is still pending.

Mr. STENNIS. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. Objection was made by the Senator from New Mexico. With all due deference to the other Senators who are waiting to be heard on other bills, I call for the regular order.

The PRESIDING OFFICER. The regular order is called for.

Mr. LEHMAN. I wonder whether—

Mr. CHAVEZ. I object.

Mr. LEHMAN. May I speak for 2 more minutes?

Mr. STENNIS. The Senator from New York has exhausted his time and more.

Mr. CHAVEZ. I object.

The PRESIDING OFFICER. Objection is heard. The joint resolution will be passed over.

STANISLAS D'ERCEVILLE

The bill (S. 366) for the relief of Stanislas d'Erceville was announced as next in order.

Mr. HICKENLOOPER. Mr. President, reserving the right to object, I may be heard for a minute or two, may I not?

The PRESIDING OFFICER. The Senator is recognized for 5 minutes.

EXTENSION OF CERTAIN PRIVILEGES TO REPRESENTATIVES OF MEMBER STATES ON COUNCIL OF THE ORGANIZATION OF AMERICAN STATES

Mr. HICKENLOOPER. I wish to join the Senator from Alabama [Mr. SPARKMAN] the present occupant of the Chair, in urging eventual favorable consideration of the bill (S. 2042) Calendar 841, which was passed over a short time ago. The bill would provide certain privileges to be extended to the representatives of member states on the Council of the Organization of American States.

I came into the Chamber after a short absence while the Senate was giving its consideration to the bill and when objection was heard from the Senator from New Mexico [Mr. CHAVEZ].

I am a member of the subcommittee of the Committee on Foreign Relations which has to do with the subject involved. The matter has been under consideration for some little time, and I believe we were unanimous in feeling that it would be advantageous to us and courteous in our attention to our friends and neighbors of the American Republics if this privilege were granted to the few persons, who by force of certain circumstances, do not now have the courtesies extended to them.

I believe the overwhelming number of those who represent other countries in the Council of American Republics do have such status and recognition. There are some 13 or 14 out of possibly 65 foreign representatives—I may be in a little error in that regard—who do not have those privileges extended to them.

I earnestly hope that the Senator from New Mexico [Mr. CHAVEZ] will study the subject carefully, as I know he will, and I hope that he will be persuaded that it is a gesture of friendship and a gesture of courtesy, and a matter of propriety, that these privileges be extended to the very few remaining persons who do not enjoy them at the present time.

If it were a question of opening up diplomatic privileges to a new category of foreign representatives, or anything of that kind, I might take a different attitude. It is only a small group of persons—and they can be counted almost on the fingers of two hands—who do not now enjoy the privileges and courtesies which most of their fellow diplomats and associates enjoy. I wish to take the opportunity of associating myself with the remarks of the Senator from Alabama, who is the chairman of the subcommittee of which I am a member, to encourage the Senator from New Mexico to examine the subject carefully. I am sure that when he does so he will come to a complete agreement with us.

Mr. CHAVEZ. Mr. President, I may say to my good friend from Iowa that I am as good a friend of Latin Americans as anyone in the United States. I have tried to place them in the right light within the United States. I tried to have this body, Congress, and our representatives in the State Department do what can be legitimately done in order to bring about friendship between us. I am their friend. The only thing that I am trying to impress upon this body is that, whether they be Latin Americans or anything else, including subjects of His Britannic Majesty, they should not abuse the privileges that are given to them.

Only a few short days ago the newspapers of this city were filled with accounts of the driver of a diplomatic car who ran into the home or the business house of a local citizen. Because he had immunity our local citizen had to suffer the consequences.

It is that kind of abuse that I am against, whether it involves Latin Americans or any others.

Mr. HICKENLOOPER. Of course, I agree heartily with the Senator that there are cases where abuses of a diplomatic status are known to have occurred. Perhaps there have been a few occasions when Americans have abused their diplomatic status in foreign countries, too.

Mr. CHAVEZ. I do not like that, either.

Mr. HICKENLOOPER. All of us regret that. However, I do not think that objection applies to this bill. This is a matter of principle.

Mr. CHAVEZ. I have no objection at all to the bill, provided it is realized that this is a gesture of friendship. It is common decency, and the dignified thing to do, to allow them the privileges when they are sent here as the representatives of a foreign country; but they should realize that because we extend that privilege to them, we do not extend to them the right to violate any of our laws.

Mr. HICKENLOOPER. I could not agree more fully with the Senator from New Mexico; I think his position is utterly sound.

I merely wish to suggest—and I believe I am correct—that all the representatives who attend this conference be given the same diplomatic status as that of the representatives of the other American republics, because there are only a few of these persons—13 or perhaps 15, as I understand—whereas there are perhaps 50 or 75 others who enjoy diplomatic status.

I earnestly hope that the admonition the Senator from New Mexico has given—and in which I join him heartily—against violation of diplomatic privileges will receive earnest attention.

I hope the Senator will see fit to withdraw his objection to the bill before the present call of the calendar is over.

Mr. CHAVEZ. I do not want an American diplomat who enjoys the privileges of a foreign country to violate that country's laws, either.

The PRESIDING OFFICER. The time of the Senator from Iowa has expired.

Mr. CHAVEZ. Mr. President, I fully agree with the Senator from Alabama and the Senator from Iowa. If they make a motion to reconsider, I shall agree to it; I shall not oppose it or object to it.

Mr. HICKENLOOPER. Very well. Mr. President, what is now before the Senate?

The PRESIDING OFFICER. Calendar 846, Senate bill 366, is the measure on the calendar which has been reached.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state it.

Mr. HICKENLOOPER. When would it be in order for me to move to reconsider? Would such a motion be in order after Senate bill 366 has been disposed of? In other words, should I wait until Senate bill 366, Calendar 846, has been disposed of?

The PRESIDING OFFICER. Let the Chair say to the Senator from Iowa that Senate bill 366, Calendar 846, has just been reached, and the Senator from Iowa has consumed his time on that bill.

Mr. HICKENLOOPER. Mr. President, I did not object.

The PRESIDING OFFICER. The Chair understands that, but the Senator from Iowa made a speech which consumed the 5 minutes available to the Senator, under the rule, during the call of the calendar. If the Senator from Iowa will wait until the next measure on the calendar is called, he may speak again.

Mr. HICKENLOOPER. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico still is entitled to the floor on this bill.

Mr. CHAVEZ. No, Mr. President; I wish to make the motion to reconsider, if necessary.

The PRESIDING OFFICER. Without objection, the Senator from New Mexico may yield to the Senator from Iowa for the purpose of making that motion.

Mr. McCARRAN. Mr. President, I am going to object at this time.

STANISLAS D'ERCEVILLE

The PRESIDING OFFICER. Objection is heard.

Is there objection to the present consideration of Senate bill 366, Calendar 846?

There being no objection, the bill (S. 366) for the relief of Stanislas d'Erceville was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Stanislas d'Erceville shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

EVANGELOS AND MICHAEL DUMAS

The bill (S. 440) for the relief of Evangelos and Michael Dumas was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Evangelos and Michael Dumas, the adopted sons of Mr. and Mrs. E. A. Dumas, citizens of the United States, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct appropriate numbers from the first available appropriate quota or quotas.

AI MEI YU AND AI MEI CHEN

The bill (S. 471) for the relief of Ai Mei Yu and Ai Mei Chen, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor children, Ai Mei Yu and Ai Mei Chen, shall be held

and considered to be the natural-born alien children of Adelia L. Eggestein, a citizen of the United States.

DEFINITION OF SAVINGS AND LOAN ASSOCIATION

The bill (S. 1212) to amend section 2113 of title 18 of the United States Code was announced as next in order.

Mr. SCHOEPEL. Mr. President, reserving the right to object, may we have an explanation, please?

Mr. McCARRAN. Mr. President, this is Senate bill 1212, Calendar No. 849.

The Federal Bank Robbery Act protects banks and savings and loan associations whose accounts are insured by the Federal Savings and Loan Insurance Corporation, and which operate under State charters.

The change which would be accomplished by means of the enactment of Senate bill 1212 in amending subsection (g) of the Federal Bank Robbery Act would be a technical change to recognize that not all of the institutions whose accounts are insured by the Federal Savings and Loan Insurance Corporation are known by the name of savings and loan associations, but that some of such institutions are called building and loan associations or homestead associations or by other names. However, all are essentially the same basic type of institution and all are popularly referred to, as a class, as savings and loan associations.

The bill simply accords to State institutions insured by the Federal Savings and Loan Insurance Corporation the same protection accorded to State institutions whose accounts are insured by the Federal Deposit Insurance Corporation by the Federal Bank Robbery Act.

The Department of Justice and the Housing and Home Finance Agency urge the enactment of Senate bill 1212. The committee, therefore, recommends enactment of the bill.

Mr. SCHOEPEL. I thank the Senator.

Mr. President, I have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1212) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, That subsection (g) of section 2113 of title 18 of the United States Code is amended to read as follows:

"(g) As used in this section the term 'savings and loan association' means any Federal savings and loan association and any insured institution as defined in section 401 of the National Housing Act, as amended."

DR. CHAI CHANG CHOI

The bill (S. 1339) for the relief of Dr. Chai Chang Choi was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, Dr. Chai Chang Choi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this

act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

LORE A. M. HENNESSEY

The bill (S. 1401) for the relief of Lore A. M. Hennessey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917, as amended, Lore A. M. Hennessey, the wife of Sergeant First Class Joseph J. Hennessey, an American citizen, may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

JOSEPH BORIS TCHERTKOFF

The bill (S. 1462) for the relief of Joseph Boris Tchertkoff was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Joseph Boris Tchertkoff shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available: *Provided,* That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Joseph Boris Tchertkoff becoming a public charge.

WOLFGANG VOGEL

The bill (S. 1819) for the relief of Wolfgang Vogel was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Wolfgang Vogel, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Max Dubberke, citizens of the United States.

HATTIE TRUAX GRAHAM

The bill (S. 1949) for the relief of Hattie Truax Graham, formerly Hattie Truax, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hattie Truax Graham, formerly Hattie Truax, Cloverdale, Ind., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States of the said Hattie Truax Graham, formerly Hattie Truax, for the death of her former husband, Ola Truax, on January 21, 1944, who died as the result of burns sustained in a fire at the Evans Hall housing project, Evansville, Ind., which was under the supervision and management of the National Housing Agency, the United States Court of Claims (Congressional

No. 17857, decided April 3, 1951, pursuant to S. Res. 268, 81st Cong.) having found that the United States was negligent in failing to enforce its safety regulations, and that such failure was the proximate cause of the death: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

ISAMU FURUTA

The Senate proceeded to consider the bill (S. 640) for the relief of Isamu Furuta, which had been reported from the Committee on the Judiciary with an amendment in line 8, after the word "citizen", to strike out the comma and "and the said Isamu Furuta may be permitted to enter the United States as a nonquota immigrant for permanent residence", so as to make the bill read:

Be it enacted, etc., That, in the administration of the immigration laws, the provisions of section 13 (c) of the Immigration Act of 1924, as amended (U. S. C., title 8, sec. 213 (c)) which excludes from admission to the United States persons who are ineligible to citizenship, shall not hereafter apply to Isamu Furuta, husband of an American citizen.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WONG WOO, ALSO KNOWN AS WILLIAM CURTIS

The Senate proceeded to consider the bill (S. 821) for the relief of Wong Woo, also known as William Curtis, which had been reported from the Committee on the Judiciary with an amendment in line 6, after the word "of", to strike out "Lieutenant" and insert "Captain", so as to make the bill read:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, Wong Woo, also known as William Curtis, a Chinese child, shall be considered the alien natural-born child of Captain and Mrs. Ralph Archer, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MASAKO MIYAZAKI

The Senate proceeded to consider the bill (S. 914) for the relief of Masako Miyazaki, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the provisions of section 13 (c) of the Immigration Act of 1924, as amended, relating to the exclusion of aliens inadmissible because of race, shall not hereafter apply to Masako Miyazaki, the Japanese fiancée of Lester G. Barrett, Jr., a citizen of the United States, and that the said Masako Miyazaki may be eligible for a non-quota immigration visa if she is found otherwise admissible under the immigration laws: *Provided,* That the administrative authorities find that marriage between the above-named parties occurred within 3 months

immediately succeeding the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT WILLIAM LAUBER

The Senate proceeded to consider the bill (S. 1448) for the relief of Robert William Lauber, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of section 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of that act, the minor child, Robert William Lauber, shall be held and considered to be the natural-born alien minor child of Sergeant and Mrs. William J. Lauber, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MICHAEL DAVID LIU, A MINOR

The Senate proceeded to consider the bill (S. 1911) for the relief of Michael David Liu, a minor, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 2 of the act of December 17, 1943, as amended (57 Stat. 601; 60 Stat. 975, 8 U. S. C. 212 (a)) Michael David Liu, alien minor unmarried son of Mrs. Gloria Yuer Liu, a United States citizen, may be admitted to the United States as a nonquota immigrant in accordance with sections 4 (a) and 9 of the Immigration Act of 1924, if such alien is otherwise admissible under the immigration laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELFRIEDE ERHARDT OTTO

The Senate proceeded to consider the bill (S. 183) for the relief of Elfriede Erhardt Otto, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 136 (e)), insofar as concerns any act or acts of Elfriede Erhardt Otto, of which the Department of State or the Department of Justice has notice at the time of the enactment of this act, Elfriede Erhardt Otto may be admitted to the United States for permanent residence if she is not otherwise inadmissible under the provisions of the immigration laws.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Elfriede Erhardt Otto."

KONSTANTIOS N. BELLOS

The bill (H. R. 732) for the relief of Konstantios N. Bellos was considered, ordered to a third reading, read the third time, and passed.

CONFERRING OF CITIZENSHIP POSTHUMOUSLY UPON SIEGFRIED OBERDORFER

The bill (H. R. 782) conferring United States citizenship posthumously upon Siegfried Oberdorfer was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSTON of South Carolina. Mr. President, I will not object to the bill, but I should like to have an explanation.

Mr. McCARRAN. Mr. President, House bill 782 confers United States citizenship posthumously upon a citizen of Germany who was admitted to the United States for permanent residence and was killed while serving with the United States Army on Guadalcanal in 1943. It does not appear that any person would benefit financially through enactment of the bill under any law administered by the Veterans' Administration.

Mr. JOHNSTON of South Carolina. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 782) was considered, ordered to a third reading, read the third time, and passed.

LUISA MONTI

The bill (H. R. 824) for the relief of Luisa Monti was considered, ordered to a third reading, read the third time, and passed.

EUGENIO BELLINI

The bill (H. R. 1100) for the relief of Eugenio Bellini was considered, ordered to a third reading, read the third time, and passed.

MARIO DIFILIPPO

The bill (H. R. 1119) for the relief of Mario DiFilippo was considered, ordered to a third reading, read the third time, and passed.

JACK WARNER AND FAMILY

The bill (H. R. 1696) for the relief of Jack Warner and family was considered, ordered to a third reading, read the third time, and passed.

HELENA JANGE CHINN

The bill (H. R. 1908) for the relief of Helena Jange Chinn was considered, ordered to a third reading, read the third time, and passed.

HYE PAH KUNG

The bill (H. R. 2210) for the relief of Hye Pah Kung was announced as next in order.

The PRESIDING OFFICER. Is there objection?

Mr. SCHOEPPPEL. Mr. President, if I correctly understand this measure, it is a bill which provides for a situation in which an alien entered the United States in 1946 as a student. He is now taking graduate work at San Francisco State College, and resides in San Francisco, allegedly with his foster parents. The question I would raise with the distinguished Senator from Nevada is this: Is it to be our practice, when exchange stu-

dents come into this country, to permit a rather liberal situation to develop, whereby they then ask for citizenship, or for the relief that is sought in bills of this type, in view of the fact that the probable reason for their coming to this country on an exchange basis is that they may return to their native lands to fulfill some useful purpose in the countries from which they came? I am not making any serious objection, but I do think this question should be clarified for the record.

Mr. McCARRAN. That is the thought of the chairman of the Judiciary Committee, and that policy has been carried out by the committee. Cases of this kind have been scrutinized very carefully. It is not here proposed to establish a policy of admitting to citizenship by special private bills those who come in under the exchange-student program. We do not look upon it with favor. I would never favor it, and I do not think it is a proper policy to pursue, because it would defeat the very object of the exchange-student law. But there are exceptions, and exceptions are the things which emphasize the rule.

The bill covers what is, in the judgment of the committee, an exceptional case. A Representative in Congress is especially interested in this particular case. The bill grants the status of permanent residence in the United States to a 30-year-old subject of Great Britain of the Chinese race. He entered the United States as a student in August 1946 and is now taking graduate work at a college in California. He resides with his foster parents, who are citizens of the United States.

Everything surrounding this case removed it from the general idea that we have of denying citizenship to exchange students. I want to say to the Senator from Kansas that his expressions, as I understood them, are in keeping with my thought on the subject.

Mr. SCHOEPPPEL. I have no objection to the bill. I thank the distinguished Senator.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H. R. 2210) was considered, ordered to a third reading, read the third time, and passed.

JOJI IKEDA, A MINOR

The bill (H. R. 3221) for the relief of Joji Ikeda, a minor, was considered, ordered to a third reading, read the third time, and passed.

YUMI HORIUCHI

The bill (H. R. 3424) for the relief of Yumi Horiuchi was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF JENNIE GAYLE, DECEASED

The bill (H. R. 4270) for the relief of the estate of Jennie Gayle, deceased, was considered, ordered to a third reading, read the third time, and passed.

MR. AND MRS. RICHARD G. ADAMS AND LEGAL GUARDIAN OF DOROTHY MARGARET ADAMS

The bill (H. R. 4271) for the relief of Mr. and Mrs. Richard G. Adams and

legal guardian of Dorothy Margaret Adams was considered, ordered to a third reading, read the third time, and passed.

MARGARET K. N. MILLER

The Senate proceeded to consider the bill (H. R. 3376) for the relief of Margaret K. N. Miller, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 5, after the word "of", to strike out "\$12,500" and insert "\$10,000."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAYMENT OF CLAIMS ARISING FROM CORRECTION OF MILITARY OR NAVAL RECORDS

The Senate proceeded to consider the bill (H. R. 1181) to amend section 207 of the Legislative Reorganization Act of 1946 so as to authorize payment of claims arising from the correction of military or naval records which had been reported from the Committee on the Judiciary with an amendment.

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. McCARRAN. Mr. President, if the Senator from New Jersey will permit me, first I may say there is a typographical error in the calendar print of this bill which should be corrected by a technical amendment. The error is, in line 24, on page 5, where reference is made to "subsection (e)." The reference should be to "subsection (g)." I ask unanimous consent that the bill may be amended to correct this typographical error. To state the amendment properly, it is, on page 5, line 24, to strike out the small letter "e" in the parentheses and insert in lieu thereof the small letter "g."

I ask unanimous consent that the bill may be amended to correct this typographical error.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. McCARRAN. Mr. President, regarding the bill itself, which is calendar No. 874, House bill 1181, it was originally reported favorably to the Senate by the Armed Services Committee and thereafter by order of the Senate referred to the Committee on the Judiciary for further consideration.

The purpose of the bill is to authorize the respective secretaries of the Armed Forces and the Secretary of the Treasury with respect to the Coast Guard to make certain payments which become due as a result of action taken by the respective boards for the correction of records authorized under the Legislative Reorganization Act of 1946.

The Senate Judiciary Committee considers this to be a meritorious bill, which will relieve it of some of the burden of the consideration of private claims. It has added certain safeguards to the bill, which will prohibit any payment of a claim that has heretofore been compensated by a private bill; requires the Secretary of Defense and the Secretary of the Treasury to file semiannual reports with Congress with respect to the nature

and type of claims paid; precludes payments of any sums which would ordinarily be handled by the Administrator of Veterans' Affairs; and finally expands the authority of the Navy Board alone so as to permit that board to consider the cases of some half dozen officers who, it is alleged, were unjustifiably passed over for promotion due to wartime conditions.

Mr. HUNT. Mr. President, I do not intend to object to the passage of the bill. I do not intend to object to the amendments, but I do desire to explain the amendments, as I see them, and I hope we may possibly persuade the chairman of the Committee on the Judiciary to withdraw them.

This bill, H. R. 1181, as the distinguished chairman of the Judiciary Committee has said, is designed primarily to correct certain errors in records. The Committee on Armed Services, after very lengthy hearings, reported favorably on the bill as it came to us from the House, without amendment.

Two of the amendments which have been recommended by the Senate Judiciary Committee—and I refer to subsection (g) and subsection (h) on pages 5 and 6 of the bill, as reported by the committee—are most objectionable to the Department of the Navy. Those subsections do not affect any other branch of the armed services; they affect only the Navy. The new subsections (g) and (h) would extend the jurisdiction of the Board for the correction of naval records to the review of cases of nonpromotion of any officer of the Navy or the Marine Corps which occurred between January 1, 1942, and August 7, 1947, and would provide for the advancement, retroactive with pay, of any officer whom the Board considered should have been promoted.

Mr. President, I think I can say primarily that these amendments are designed in behalf of an individual officer of the Navy. The Navy Department opposes these subsections for the following reasons: First, they would open up to review by an administrative board the Navy selection system for the promotion of officers. The Navy selection system has its own review board, built in, so to speak. This review system has proved itself in the past in many cases. Officers who initially were passed over, after review have subsequently been promoted by a later board. All the officers affected by the proposed new subsections have already had the benefit of this review. In addition, the cases have had special review by a review board established in 1946, and by another one established in 1947.

I think the Senate is aware of the fact that when an officer of the Navy is passed over twice, he may voluntarily resign his commission. The reason for that is that in bringing along a young officer who has a great deal of capacity and ability it is necessary, if the Navy is to retain his services, that promotion be made possible for him.

The Board adjusted the precedence of many officers who had been passed over during wartime. Subsections (g)

and (h) would afford an additional review for the benefit of those remaining officers who were not promoted as the result of reviews previously outlined.

The Navy Department considers any further review is unnecessary and unwarranted, and is in the nature of an attack on the Navy selection system, which has proved itself down through the years.

The Senate Judiciary Committee adopted the subsections without giving the Navy Department or the Department of Defense an opportunity to testify concerning them. The report of the Senate Judiciary Committee states that only five or six officers would fall within the category covered by the subsections. That is incorrect, since more than 10,000 Regular and Reserve officers would be eligible to apply for additional review if the subsections were enacted into law.

One of the original purposes of the bill was to perfect the review system and make it unnecessary to introduce private bills in behalf of some 900 members of the various services whose records have subsequently been corrected, but until the passage of this bill there will be no way in which the officers can be compensated when the corrections have been made. To act upon these 10,000 cases would be beyond the capacity of the Board for the Correction of Naval Records, and would result in a considerable administrative expense.

The Board for the Correction of Naval Records is a civilian board. It was not designed and does not have the necessary knowledge to pass on promotions of naval officers.

Finally, Mr. President, the enactment of these subsections into law would authorize the Board for the Correction of Naval Records to act as a review board, considering only one officer's record at a time. That is completely contrary to the principles of the selective system, wherein the selection board considers all officers, and recommends for promotion only the better qualified officers of the group. It is impossible for a board or an individual to determine whether or not an officer should be promoted in competition with others of the same group, by considering only a single record. In other words, if there are a thousand officers and there are vacancies for only 500, the Board must necessarily consider the records of all of them before they select those who can be promoted.

Mr. President, in view of these facts, the Department of the Navy requests that the Senate Armed Services Committee oppose subsections (g) and (h), appearing on pages 5 and 6 of the bill as reported by the Judiciary Committee, when the measure is considered on the floor. The Navy Department has been authorized to present its opposition to these subsections.

As I stated, Mr. President, I am not going to oppose the amendments, and I am not going to oppose the bill. I thought a record should be made of the fact that the Navy is opposed to the amendments, but they are still anxious that the bill be passed in order that the payments may be made in the 900 cases which have now been acted on,

and they will accept the amendments so that the bill may pass.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. McCARRAN. Mr. President, in my judgment the Senator from Wyoming presents a valid objection to one phase of the amendments. I do not think it falls within the jurisdiction of the Judiciary Committee.

I am looking for the Senator from Washington [Mr. MAGNUSON]. The amendment was offered by him in the full committee when we were considering the subject. It was voted on by the full committee. It is probable that the full committee took the statements made by the Senator from Washington, which I shall not attempt to quote, because I would be quoting them from memory.

As to the other amendments, relating to subsections (e) and (f), I would not recede from them. If the Senator from Washington were on the floor and would consent to our receding from subsections (g) and (h) I would have no objection. But he is not on the floor at this time.

Mr. HUNT. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. HUNT. May I ask the distinguished Senator if it would be agreeable to let the bill go over until the next calendar day? In the meantime, we can have further conferences with reference to the two objectionable sections.

Mr. McCARRAN. I have no objection.

As I recall, it was stated that the last amendment which was adopted by the committee on the motion of the Senator from Washington would affect only 5 or 6 individuals, but I do not want to bind the Senator from Washington by that statement. I have no objection to the bill going over. If I knew the Senator from Washington would come to the Senate floor, I would be willing to have it go to the foot of the calendar in the hope that he might consent to striking the last amendment, but as to the other two amendments, I would not feel like receding from them.

Mr. President, if we might have the amendments relating to subsection (e) and (f) adopted at this time, then I would ask unanimous consent that the bill go to the foot of the calendar in the hope that we might later deal with the amendment respecting subsection (g).

The PRESIDING OFFICER. The clerk will state the amendments of the committee except the amendments which the Senator from Nevada has suggested be passed over temporarily.

The CHIEF CLERK. On page 3, after line 20, it is proposed to insert:

"(1) This subsection shall not be deemed to authorize the payment of any claim heretofore compensated by Congress through enactment of a private law.

On page 4, line 21, after the word "other", to strike out "qualifications," and insert "qualifications," and after line 21, to insert:

"(e) The Secretary of Defense and the Secretary of the Treasury, for their respective Departments, shall make semiannual reports to the Congress of all claims paid under this subsection during the period covered

by each such report. Each such report shall include, with respect to each such claim, a statement of the amount paid, to whom, and a brief description of the claim.

"(f) Nothing in this act shall be construed to authorize the payment of any amount as compensation for any benefit to which the claimant might subsequently become entitled under the laws and regulations administered by the Administrator of Veterans' Affairs.

The amendments were agreed to.

Mr. McCARRAN. Mr. President, the amendment proposing the insertion of subsection (g) is an amendment which I personally think does not come within the jurisdiction of the Judiciary Committee, and I doubt very much that it should become law. I should like to have the bill go to the foot of the calendar. The Senator from Washington may come in and agree with our position.

The PRESIDING OFFICER. Without objection, further consideration of the bill will be postponed at this time, and the bill will go to the foot of the calendar.

Mr. McCARRAN subsequently said: Mr. President, I now ask unanimous consent that we may revert to Calendar No. 874, House bill 1181, as I desire to make a statement and confess that my memory was in error. The amendments to which I had reference were offered by the Senator from Indiana [Mr. JENNER] and not by the Senator from Washington [Mr. MAGNUSON], in the Committee on the Judiciary. I am sorry that I made a mistake, and I desire to correct it at this time.

I now have the consent of the Senator from Indiana to recede from the amendments he offered in the committee, and I do recede from them on behalf of the Committee on the Judiciary. The bill may be presented now to the Senate without the amendments incorporating subsections (g) and (h), if that is satisfactory.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 1181, Calendar No. 874?

There being no objection, the Senate resumed the consideration of the bill (H. R. 1181) to amend section 207 of the Legislative Reorganization Act of 1946, so as to authorize payment of claims arising from the correction of military or naval records.

The PRESIDING OFFICER. Without objection, the two amendments referred to by the Senator from Nevada will be rejected.

Mr. McCARRAN. That is correct.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 1181) was read the third time and passed.

WHITE RIVER BACKWATER AREA—AMENDMENT OF FLOOD CONTROL ACT OF 1946

The bill (S. 1622) to amend section 10 of the Flood Control Act of 1946 was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of

the bill? Does the Senator from Nevada object to the bill.

Mr. McCARRAN. Yes. I should like to have it explained. It seems, however, this is a bill which should not be passed on the call of the calendar.

Mr. HOLLAND. Mr. President, the bill was introduced by the Senator from Arkansas [Mr. McCLELLAN], but having participated in the hearing on the measure, I shall be glad to explain it in so far as I can.

It appears from the report that the Flood Control Act of 1936 provided for the construction of a levee system in the lower White River known as the White River backwater area. Ten years later the 1946 Flood Control Act made the same provision with reference to the similar areas of the St. Francis River Basin and the Yazoo River Basin, the difference being that in the case of the St. Francis River and the Yazoo River Basins, those two areas were taken into the lower Mississippi Basin as an integral part thereof, and subject to all the laws and provisions affecting the Mississippi River Basin.

The purpose of the amendment to the law is to take the backwater of the White River, which is equally a part of the alluvial basin of the Mississippi River, out of the position in which it was placed in the 1936 act, and to give it equal standing not only with the St. Francis River Basin and the Yazoo River Basin, but with all other portions of the alluvial basin of the lower Mississippi River. The Public Works Committee unanimously approved the measure for passage.

Mr. FULBRIGHT. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. FULBRIGHT. First I wanted to explain that my colleague the senior Senator from Arkansas [Mr. McCLELLAN], was unexpectedly called away from the Senate by a death in his family, and had to go to Arkansas in a plane about an hour ago. That is the reason why he is not here to explain the bill.

The Senator from Florida [Mr. HOLLAND] is a member of the committee, and, of course, has explained the bill correctly. I only want to endorse what he has stated, and say that this is a matter that is very important to the continuation of the system of levees and the maintenance of them in accordance with the accepted policy with regard to the St. Francis and Yazoo River basins. There was no difference at all in the committee. The bill had the unanimous report of the committee.

Mr. McCARRAN. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 1622) to amend section 10 of the Flood Control Act of 1946, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subparagraph (q) under the subtitle "Lower Mississippi River" in section 10 of the Flood Control Act of 1946 (Public Law 528, 79th Cong.), is hereby amended by inserting after the words

"Saint Francis River Basin" a comma and the words "the White River Backwater Area."

AUTHORIZATION OF CERTAIN LAND AND OTHER PROPERTY TRANSACTIONS

The bill (H. R. 1215) to authorize certain land and other property transactions, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Mr. President, I should like to have an explanation of the bill.

JAMES P. FINNEGAN, FORMER INTERNAL REVENUE COLLECTOR IN ST. LOUIS

Mr. WILLIAMS. Mr. President, at this point I ask unanimous consent to have printed in the body of the RECORD a bulletin which just appeared over the Associated Press, dealing with the indictment of James P. Finnegan, former collector of internal revenue at St. Louis.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

ST. LOUIS.—James P. Finnegan, former internal-revenue collector here and a prominent figure in a congressional investigation into reported corruption in the Nation's tax-collection service, was indicted by a Federal grand jury today on charges of bribery.

Finnegan quit under fire last April soon after the grand jury began an investigation touched off by charges made against him on the Senate floor by Senator WILLIAMS.

Two of the five counts in the indictment accused Finnegan of accepting a \$250 check from a firm involved in income-tax difficulties.

The others were under a Federal law prohibiting a Government employee from receiving compensation for services involving a controversy in which the Government is a party.

Finnegan, a genial, loquacious friend of President Truman, has been the central figure in hearings before a House Ways and Means subcommittee in Washington, digging into widening reports of scandals in the Internal Revenue Bureau.

Mr. WILLIAMS. Mr. President, immediately following that, I ask unanimous consent to have inserted in the body of the RECORD an article appearing in the New York Herald Tribune of Wednesday, October 10, 1951, written by Mr. Jack Steele, in which he pointed out that James P. Finnegan claimed that Mr. Truman had insisted he keep his position as collector in St. Louis.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FINNEGAN SAYS TRUMAN ASKED HIM NOT TO QUIT

(By Jack Steele)

WASHINGTON, October 9.—James P. Finnegan, former internal revenue collector in St. Louis whose "outside" activities while holding that post are now under fire, testified today that he tried to resign at least three times in 1949 and 1950 but was urged in each instance to remain by the President or the White House.

Mr. Finnegan told a House Ways and Means subcommittee that he discussed his intention of resigning on at least one occasion with "the President of the United States" and that Mr. Truman had "asked me to stay on."

While he did not firmly fix the date of this conversation with the President, it appeared from his testimony that it took place in October 1950—some months after the Internal Revenue Bureau had started the first investigation of complaints about Mr. Finnegan's conduct of his office.

He also testified that on this or other occasions he was asked not to resign by Matthew J. Connelly, secretary to Mr. Truman; George J. Schoeneman, former Commissioner of Internal Revenue; and "possibly" by John W. Snyder, Secretary of the Treasury.

Mr. Finnegan finally resigned last April when a second grand jury was called in St. Louis to begin a probe of his affairs after Senator JOHN J. WILLIAMS, Republican, Delaware, charged that the Internal Revenue Bureau had withheld vital evidence from a previous grand jury.

Mr. WILLIAMS. Mr. President, I also ask unanimous consent to have printed in the body of the RECORD excerpts from an article appearing in today's Washington Times-Herald, and also an excerpt from an article appearing in today's Washington Post, the first article having been written by Robert Young, and the second by George T. Draper; in which they quote Mr. Snyder to the effect that he had been trying to get Mr. Finnegan removed for 9 months prior to his resignation April 4, 1951.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Times Herald of October 11, 1951]

H. T. KEPT FINNEGAN IN JOB, KNOWING CHARGES—SNYDER
(By Robert Young)

Treasury Secretary Snyder testified yesterday that although President Truman had full knowledge of serious charges involving the way James P. Finnegan was conducting himself as Federal tax collector in St. Louis and knew the Treasury Secretary wanted Finnegan to resign, the President took no suspension or removal action.

Snyder told a House Ways and Means subcommittee investigating Internal Revenue Bureau scandals in a half-dozen major cities he recalled asking Finnegan to resign in August 1950, and at about the same time the matter was thoroughly discussed with the President.

[From the Washington Post of October 11, 1951]

(By George T. Draper)

When Representative KING informed the Secretary that Finnegan had said he had been advised to stay on the job by the President after trying to resign three times in 2 years, Snyder answered:

"I am only speaking for myself. I did not advise him to stay on. Through the Commissioner, I advised him a number of times to resign."

Finnegan finally resigned last April.

Mr. WILLIAMS. Mr. President, on March 15, 1951, I was discussing the conditions in the St. Louis office with Commissioner Schoeneman, and at that time I raised the question regarding Mr. Finnegan's pending resignation. I ask unanimous consent to have printed in the RECORD at this point my question to Mr. Schoeneman and his answer.

There being no objection, the question and answer were ordered to be printed in the RECORD, as follows:

Senator WILLIAMS. Is the collector under fire from the Department in any manner as

to improper conduct? Is there any suspicion that there might be a reason for his resigning?

Mr. SCHOENEMAN. No, sir; there isn't anything that we are looking into that would be a reason for his resigning because it is a matter that he has discussed several months ago. I should say at least 4 months ago he expressed a desire to resign, and for some reason or other he has delayed that resignation.

Mr. WILLIAMS. Mr. President, not being satisfied with Mr. Schoeneman's answer, later, on April 11, I addressed a letter to Hon. John W. Snyder, Secretary of the Treasury, and I ask unanimous consent to have printed in the body of the RECORD my letter to Mr. Snyder and his reply to my letter. In this letter Mr. Snyder claims that Mr. Finnegan's resignation was purely voluntary and clearly indicates he has no suspicion in regard to Mr. Finnegan.

Needless to say, the information upon which I based my speech of May 7, 1951, and upon which evidence Mr. Finnegan now stands indicted, was in the Treasury Department's files at the time both Mr. Schoeneman and Mr. Snyder were questioned. I call particular attention to those paragraphs of these letters dealing with Mr. Finnegan.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., April 11, 1951.

HON. JOHN W. SNYDER,
Secretary of the Treasury,
Washington, D. C.

DEAR MR. SECRETARY: On April 4, 1951, you relieved Mr. James P. Finnegan of his duties as Collector of Internal Revenue in the St. Louis, Mo., office. While I congratulate you upon this belated action, I am concerned that you did not go further and publicly outline your reasons for this action, at the same time stating what further action you contemplate.

I also believe that you should announce what action you plan to take toward clearing up the deplorable conditions existing in the third district of New York. On at least two occasions the Commissioner of Internal Revenue, Mr. George J. Schoeneman, has called the deplorable conditions in that office to your attention, and while he presented no specific charges against Collector Johnson, he did urgently recommend his removal.

Now that you are recommending that Congress place another \$10,000,000,000 tax increase on the already overburdened taxpayer, it is imperative that we convince the American people that no favoritism nor any special protection for anyone will be condoned by your Department.

Yours sincerely,

JOHN J. WILLIAMS.

THE SECRETARY OF THE TREASURY,
Washington, D. C., April 21, 1951.
HON. JOHN J. WILLIAMS,
United States Senate,
Washington, D. C.

DEAR SENATOR WILLIAMS: Thank you for your letter of April 11, 1951.

The Commissioner of Internal Revenue and his staff have indicated to you in some detail the steps which have already been taken to correct lax administrative conditions in the third collection district of New York. While some of the supervisory personnel have been withdrawn, there are still five men from the Washington headquarters group remaining in that office. The effectiveness of the steps taken by this group is

reflected by the present much-improved conditions of that office.

A few months back Commissioner Schoeneman requested Collector Johnson's resignation. As you know, neither the Commissioner nor I have any power of removal over the collector. However, we have been trying for some time to find a strong person we could recommend to replace Collector Johnson—one who would be capable of holding and improving the gains we have made in the work of that office. In our efforts to obtain the proper kind of a replacement a number of persons have been considered. We have found that some did not possess the necessary qualifications, while others amply qualified have declined to accept the position. I hope that our efforts will soon result in obtaining the right person. Due to the presence of the headquarters group, however, the work of the office during this time has not suffered.

The collector at St. Louis voluntarily resigned earlier this month. You may rest assured that in the event any irregularities are found in that office, appropriate steps will be taken to effect their correction. I am determined that the revenue laws shall be administered without partiality or favor.

Your interest in the effective operation of the Bureau is heartening.

Sincerely,

JOHN W. SNYDER.

AUTHORIZATION OF CERTAIN LAND AND OTHER PROPERTY TRANSACTIONS

Mr. HUNT. Mr. President, in reply to the request of the Senator from New Jersey [Mr. HENDRICKSON] for an explanation of H. R. 1215, the bill last called on the calendar, I wish to say that the bill would give to the Navy certain rights with reference to acting on easements over rights-of-way for highways, for opening up streets, for installation of utilities, and things of that nature. It is authority that has already been granted to the other services, and now is requested by the Navy. The bill also sets forth the specific location and the specific type of easements requested. They are in no way at all of a substantial nature.

The committee did, however, delete from the bill certain items the transfer of which we felt were not proper to allow, primarily some city property which would have been taken off the tax rolls of the communities where the property is located. So the committee deleted that section from the bill. I should be glad to take up each of the various items in detail, but I will say to the Senator from New Jersey that they are not of a substantial nature.

Mr. HENDRICKSON. I think that is not necessary at all. I thank my distinguished colleague from Wyoming for the explanation.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 1215) to authorize certain land and other property transactions and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 2, after line 3, to strike out:

SEC. 102. The Secretary of the Navy is hereby authorized to convey to the Government of Puerto Rico, for highway purposes, under such terms and conditions as he may

deem appropriate, two strips of land containing eighty and twenty-four thousand one hundred and eighty-six one-hundred-thousandths square meters and one hundred and nine and six hundred and one one-thousandths square meters, more or less, respectively, said strips being a part of approximately one hundred and eighty and fourteen one-hundredths acres of land located in the ward of Pueblo Viejo, municipality of Guaynabo, Puerto Rico, title to which was acquired by the United States by declaration of taking filed in condemnation proceedings in the District Court of the United States for the District of Puerto Rico, Numbered 2453 Civil, metes and bounds description of which is on file in the Navy Department.

In line 20, to change the section number from "103" to "102"; on page 3, line 14, to change the section number from "104" to "103"; on page 4, line 5, to change the section number from "105" to "104"; and on page 8, after line 12, to strike out title III, as follows:

TITLE III

SEC. 301. The Administrator of General Services is hereby authorized to transfer to the Department of the Air Force, without reimbursement, the following property, together with all improvements and appurtenant facilities, and the machinery, equipment, and other personal property accessory thereto:

Project No.—	Type of project	Location
Plancor 220.....	Industrial plant...	Milwaukee, Wis.
Plancor 324.....	do.....	Adrian, Mich.
Plancor 821.....	do.....	Johnson City, N. Y.
CIN 1.....	Warehouse.....	Indianapolis, Ind.

SEC. 302. The Reconstruction Finance Corporation is hereby authorized to transfer to the Department of the Air Force, without reimbursement, Plancor 2304, consisting of an industrial plant, at North Grafton, Mass., together with all improvements and appurtenant facilities, and the machinery, equipment, and other personal property accessory thereto: *Provided*, That such transfer shall not include inventories of raw materials and work in progress.

SEC. 303. The Reconstruction Finance Corporation is hereby authorized to transfer to the Department of the Army without reimbursement, Plancor 166 M, consisting of an industrial plant, at Muskegon, Mich., together with all improvements and appurtenant facilities and the machinery, equipment, and other personal property accessory thereto: *Provided*, That such transfer shall not include inventories of raw material and work in progress.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

TRANSMISSION IN INTERSTATE COMMERCE OF CERTAIN GAMBLING INFORMATION—BILL PASSED OVER

The bill (S. 1564) to make unlawful the transmission in interstate commerce of gambling information concerning a sporting event which is obtained without consent of the person conducting such sporting event was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SCHOEPPPEL. Mr. President, reserving the right to object—and I shall be required to object—this bill, together with House bill 1563, Calendar No. 878, Senate bill 1624, Calendar No. 879, and Senate bill 2116, Calendar No. 880, have been on the calendar for only a few days. As I understand, we do not have access to the printed hearings. I must announce an objection at this time.

Mr. O'CONOR. Mr. President, will the Senator withhold his objection momentarily?

Mr. SCHOEPPPEL. I am glad to withhold it.

Mr. O'CONOR. My only purpose is to express the hope to the leadership that these measures may be scheduled for consideration in the near future. The measures to which the Senator from Kansas refers are measures of the greatest importance. With respect to one of the bills, the Committee to Investigate Interstate Crime unanimously concluded that it represented the very keystone of the entire legislative program, which is aimed at circumventing the activities of interstate racketeers. The bills are interrelated, and have received considerable attention by the committee. Of course, they were reported favorably. I merely express the hope that it may be possible for the Senate to consider them in the near future.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'CONOR. I yield.

Mr. SALTONSTALL. As the acting minority leader, I am sure that I speak the desires of every Senator on this side when I say that if these bills are going to help in the present situation they should be brought up for consideration by the majority leader at the earliest possible moment.

Mr. O'CONOR. I thank the Senator.

Mr. SALTONSTALL. I think I express the feeling of the legislative committee on this side when I say that we have not had an opportunity to study them in the brief time they have been on the calendar.

Mr. O'CONOR. I did not mean to criticize at all in commenting upon the situation.

Mr. HENDRICKSON. Mr. President, will the Senator yield for a question?

Mr. O'CONOR. I am very glad to yield.

Mr. HENDRICKSON. I take it from the remarks of the distinguished Senator from Maryland that he thinks these bills are far too important to pass on the call of the calendar.

Mr. O'CONOR. I do. I will say to the Senator from New Jersey that I do not think they could be sufficiently explained, or that sufficient consideration could be given to them in the brief time allowed on a call of the calendar. There are a number of very important questions which deserve debate. My only reason for commenting is that I think it is timely to emphasize the need for prompt action. Otherwise, a great deal of the work heretofore done will go for naught, unless remedial and corrective action, such as is here proposed, can be taken promptly.

Mr. HENDRICKSON. The junior Senator from New Jersey wishes to associate himself with the remarks of the Senator from Maryland.

Mr. CAPEHART. Mr. President, reserving the right to object, let me say that, along with the Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. TOBEY], the Senator from Missouri [Mr. KEM], the Senator from Delaware [Mr. WILLIAMS], and the Senator from Ohio [Mr. BRICKER], I submitted a resolution, Senate Resolution 207, on September 12, which resolution was considered by the Senate Committee on Interstate and Foreign Commerce and voted down by a vote of 7 to 6. That resolution provided for the continuation of the crime investigating committee. Under the original resolution establishing the so-called crime committee, the Committee on Interstate and Foreign Commerce was directed on September 1, when the committee's life expired, to take over the files and unexpended funds. I wish to serve notice that before the Congress adjourns I shall submit a resolution and ask for a vote by the Senate.

I had occasion a couple of nights ago to listen to one of our very able colleagues on television. He pointed out that great need for vigilance in respect to crime and emphasized the terrible situation which exists in America. I certainly associate myself with him in that respect. Therefore, I cannot understand why the United States Senate is now dropping this whole subject, just as though it were a hot potato.

We have spent many hundreds of thousands of dollars in investigations over a period of time. We obtained some very illuminating facts and information. We had three or four very fine television shows. One of our colleagues has written a book on the subject. At the present moment there is being presented a television show which is sponsored by one of our business organizations, which is taking advantage of what the United States Senate did in respect to crime investigations. I have no objection to it. However, as we follow the moderator, we find what a terrible situation exists in the United States. I agree that it is a deplorable situation. I say that organized crime does exist in the United States, and I cannot understand why the United States Senate now wants to drop the investigation and do nothing further about it.

I understand that the Committee on the District of Columbia intends to investigate crime in the District of Columbia. That committee and other standing committees have the right to subpoena witnesses from outside the District of Columbia. But, for some unknown reason, suddenly we are to drop this subject. Why are we going to drop it? If the investigation was a good thing a year ago, it is a good thing today. I do not know what has happened. I shall submit the resolution to which I have referred before we adjourn, and ask that the Senate vote on it. What is the idea of spending so much time and money on the investigation and then dropping the whole subject?

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HENDRICKSON. I am amazed to hear the Senator from Indiana say that we are going to drop this entire subject. I have seen no evidence anywhere that we propose to drop it.

Mr. CAPEHART. Evidently the able Senator is not familiar with the facts. The life of the so-called crime committee has expired. It has gone out of existence, and there is no committee at the moment, other than the Committee on the District of Columbia, which is looking after District affairs, that is investigating this subject. The District Committee are the councilmen of the city of Washington. They have a right to investigate crime in the city of Washington, just as the city council of any city in the United States has the right to investigate crime in the particular city.

I think the Senator is in error when he says that the subject has not been dropped. It has been dropped. Nothing is being done about it. The Senate Committee on Interstate and Foreign Commerce, by a vote of 7 to 6, decided to do nothing about it.

Mr. HENDRICKSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HENDRICKSON. The fact that these bills are pending on the calendar is proof positive of the fact that we have determined not to drop the matter.

Mr. CAPEHART. We have not yet passed the bills.

Mr. HENDRICKSON. It is the hope of the junior Senator from New Jersey that they will be passed soon.

Mr. CAPEHART. Certain proposed legislation has been introduced. I hope the able Senator from New Jersey is not associating himself with the view that the investigation by the committee should be dropped. I certainly did not intend to intimate that he was. I think the American people want to get more out of this investigation than they have had to date. I do not understand why we do not proceed with the investigation. So far as I know the committee did a good job.

Mr. O'CONOR. Mr. President, will the Senator yield?

Mr. CAPEHART. I shall be glad to yield in a moment.

The committee exposed a great deal of corruption and crime throughout the Nation, including narcotics peddling. There ought to be a standing committee of the Senate to look into this subject, for many years to come. I shall try to obtain a vote on my resolution.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. O'CONOR. Mr. President, I ask unanimous consent that I may ask the Senator from Indiana a question.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the time of the Senator from Indiana will be extended to allow the Senator from Maryland [Mr. O'CONOR] to ask a question.

Mr. O'CONOR. I merely wish to ask the Senator one question, which is not

in any degree in criticism of or opposition to the sentiments which he expressed. However, I think we are talking about two different things. As the Senator from New Jersey [Mr. HENDRICKSON] has correctly stated, not only are there on the calendar a series of bills, but altogether some 22 bills have been introduced which are designed to take corrective action to cure the very conditions which the 16 months' investigation revealed. Of course, we can do only one thing at a time. We believe that the present proposals would represent a very major step toward the successful completion of the work. The Senator from Indiana is talking about something else.

Mr. CAPEHART. I am talking about the continuation of the committee to investigate crime conditions in the United States. For some unknown reason the Senate—or at least the Senate Committee on Interstate and Foreign Commerce, which was authorized by the original resolution setting up the committee to take over the unfinished business, unexpended funds, and all the records, has voted to do nothing further. It was understood, at least by inference, that it was to continue the investigation. The committee, by a vote of 7 to 6 decided not to do it. I shall submit the resolution and ask the Senate to vote on it.

Mr. HENDRICKSON. Mr. President, I want the record clearly to show that it is the sincere hope of the junior Senator from New Jersey that the effort to rid the country of crime will not end at this point, but that from here on in we shall proceed with new vigor in the direction of crime elimination until there has been an end to crime in America.

Mr. McCARRAN. Mr. President, I inquire what is the business before the Senate?

The PRESIDING OFFICER. The Senator from Kansas (Mr. SCHOEPEL) asks that the four bills, S. 1564, S. 1563, S. 1624, and S. 2116, Calendar Nos. 877, 878, 879, and 880, respectively, go over.

Mr. SCHOEPEL. Mr. President, I may say to the distinguished occupant of the Chair and to inquiring Senators that I, too, would like to have crystal clear what I have in mind. Objection has been lodged to the consideration of these four bills on the calendar. Frankly, I share the view that these bills, important as they are, should not be taken off the calendar. I hope they can be brought up for consideration and passed as quickly as possible. However, I am compelled to object to each of them at this time. Therefore, I ask unanimous consent that they be not considered at this time, but that they be passed over.

The PRESIDING OFFICER. The bills will be passed over.

IMPROVEMENT OF EAST PASS CHANNEL FROM THE GULF OF MEXICO INTO CHOCTAWHATCHEE BAY, FLA.

The bill (S. 1080) to authorize the improvement of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla., was announced as next in order.

The PRESIDING OFFICER. The Chair understands that there is an identical

House bill on the calendar. It is Calendar No. 882, House bill 2322. Without objection, the House bill will be considered. The clerk will state the House bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 2322), to authorize the improvement of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1080, Calendar 881, is indefinitely postponed.

COMPACT BETWEEN PENNSYLVANIA AND NEW JERSEY CONCERNING DELAWARE RIVER BRIDGE

The bill (S. 1968) granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania, and the State of New Jersey concerning a bridge across the Delaware River to provide a connection between the Pennsylvania Turnpike System and the New Jersey Turnpike, and for other purposes, was announced as next in order.

Mr. HOLLAND. Mr. President, this bill is designed to give the consent of Congress to a compact between the Commonwealth of Pennsylvania and the State of New Jersey. It was introduced by the four Senators from those two fine States.

The Committee on Public Works unanimously recommends the passage of the bill. I shall be glad to yield to the Senator from New Jersey [Mr. HENDRICKSON] if he cares to discuss the bill.

Mr. HENDRICKSON. I believe the distinguished Senator from Florida has explained the purpose of the bill. I merely wish to add that the project has great values from the standpoint of our national defense program. The new turnpike in New Jersey, when joined, by the bridge which is contemplated to be built, to the present turnpike in Pennsylvania, will add greatly to the facilities of transportation in this important but congested area, where the highways are already badly overburdened. I hope the bill will be passed.

Mr. HOLLAND. Mr. President, it was the unanimous feeling of the Committee on Public Works that the two States should be highly commended for the turnpike effort which is being put forth by both States, and for their desire to join their respective turnpikes by the crossing of the Delaware River which is provided by the bill.

Mr. HENDRICKSON. Mr. President, there is a similar House bill on the calendar, Calendar No. 884, House bill 5131.

I ask that the House bill be substituted for the Senate bill and be now considered.

The PRESIDING OFFICER. The clerk will state the House bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 5131) granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey, concerning a bridge across the Delaware River to provide a

connection between the Pennsylvania Turnpike System and the New Jersey Turnpike, and for other purposes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Chair would call the attention of the junior Senator from New Jersey to the fact that the only difference between the House bill and the Senate bill is found on page 1, line 5, in both bills. The House bill uses the word "herein"; whereas the Senate bill uses the word "therein."

Mr. HENDRICKSON. The amendment should be made in the House bill. I move that the House bill be amended accordingly.

The PRESIDING OFFICER. The Senator from New Jersey offers an amendment, on page 1, line 5, to strike out the word "herein" and insert in lieu thereof the word "therein." The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1968, calendar 883, is indefinitely postponed.

CONCURRENT RESOLUTION PASSED OVER

The resolution (S. Con. Res. 5) to amend section 138 of the Legislative Reorganization Act of 1946, relating to the legislative budget, was announced as next in order.

Mr. McCARRAN. Mr. President, may we have an explanation of the concurrent resolution?

The PRESIDING OFFICER. The Senator from Nevada [Mr. McCARRAN] has asked for an explanation of Senate Concurrent Resolution 5. Can a member of the Committee on Rules and Administration give an explanation of it?

Mr. McCARRAN. Mr. President, I ask that the concurrent resolution go over.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

ESTABLISHMENT OF COMMISSION ON ETHICS IN GOVERNMENT

The resolution (S. J. Res. 107) to establish a Commission on Ethics in Government was announced as next in order.

Mr. McCARRAN. I ask that the joint resolution go over.

Mr. FULBRIGHT. Mr. President, will the Senator withhold his request?

Mr. McCARRAN. Yes.

Mr. FULBRIGHT. The Senator from Illinois [Mr. DOUGLAS], who is chairman of the subcommittee handling this matter, is not present on the floor of the Senate. I do not believe he expected, nor did I, that the concurrent resolution would be adopted on the call of the calendar, although I know of no objection to it.

I merely wish to call the attention of the Senate to the very excellent report.

For myself, I wish to say that I think the subcommittee and the Committee on Labor and Public Welfare have done

an excellent job in rephrasing and, in fact, improving in many ways the original joint resolution which I introduced some months ago.

EXTENSION OF YOUTH CORRECTION ACT TO THE DISTRICT OF COLUMBIA

Mr. CASE. Mr. President, when Senate bill 1184, Calendar No. 826, was reached during the call of the calendar, I asked that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Let the Chair advise the Senator from South Dakota that there is one bill ahead of that bill; and those bills will be called.

ELIMINATION OF CERTAIN EXEMPTIONS FROM ADMINISTRATIVE PROCEDURE ACT

Mr. MAYBANK. Mr. President, I should like to ask a question of the distinguished Senator from Nevada [Mr. McCARRAN], if I may do so. With respect to the bill to amend the Administrative Procedure Act, and eliminate certain exemptions therefrom, which I think is Senate bill 1770, let me say that insofar as concerns emergency agencies of the Government which have been created or which may have to be created because of certain conditions arising out of the Korean situation or as a result of conditions which may develop in the future, if those agencies make a finding, they do not have to wait 30 days before issuing the orders, if it appears impractical, unnecessary, or contrary to the public interest. In other words, if an emergency exists, they can so certify, and then can issue the orders forthwith.

Mr. McCARRAN. Mr. President, an agency having an emergency matter in hand need simply state in its order that because of the existing emergency, they will not come under the requirements of the Administrative Procedure Act.

Mr. MAYBANK. So, for instance, if it is necessary for Mr. Wilson or Mr. Johnston or Mr. Fleischmann or some of the emergency agencies which have been created to issue an order because of an existing emergency, they will not have to wait 30 days, if an emergency exists, but they can simply state their determination to that effect, and then can proceed to issue the order. That is what I understood the Senator to say would be the fact in a case in which the emergency agencies were concerned.

Mr. McCARRAN. Mr. President, let me read to the Senate from a memorandum printed in the report on Senate bill 1770:

The Administrative Procedure Act was designed with cognizance of emergency situations and, therefore, provides various exceptions and exemptions from its specified procedures when a certain functional operation or exigency requires expeditious process. For instance, section 4 of this act, dealing with rule-making procedure (with which most of the agencies are primarily concerned in assuming, arguendo, enactment of S. 1770), provides at the outset that the procedural requirements shall not apply to those matters involving "any military, naval, or foreign affairs function of the United States." Further, subsection 4 (a), relating to notice of proposed rule making, provides that said subsection shall not apply "in any situation in which the agency for good cause finds (and incorporates the finding and a

brief statement of the reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest."

The memorandum from which I have been reading, as it appears in the report, was carefully considered by the committee before it acted on this bill; and the views expressed in the memorandum accurately reflect the views of the committee.

Mr. MAYBANK. I thank the Senator from Nevada. That was the understanding I had of the law, and that was what the distinguished Senator from Nevada told me.

Therefore, Mr. President, I do not think it necessary for the special agencies set up in connection with defense matters to wait 30 days to issue an order which might have to be issued within 24 hours or less because of an emergency.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION—SUPPLEMENTAL COMPACT BETWEEN STATES OF PENNSYLVANIA AND NEW JERSEY—REPORT OF A COMMITTEE

Mr. HOLLAND. Mr. President, from the Committee on Public Works, I report favorably, with amendments, the bill (S. 1938) granting the consent of Congress to a supplemental compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes, and I submit a report (No. 942) thereon. In a sense, this bill is kindred to a bill already passed by the Senate today.

I understand that the distinguished majority leader has given his consent to having the bill considered, and I understand that the distinguished minority leader has done the same. The four Senators affected would like very much to have the bill acted on today, and the subcommittee has joined in that request.

I hope this measure, Senate bill 1938, giving congressional approval of a supplemental compact between those two States, may be added to the calendar and may be disposed of before we terminate the call of the calendar. I wish to give notice of that before Senators leave the floor.

BILLS PASSED OVER

Mr. McCARRAN. Mr. President, has the calendar been concluded?

The PRESIDING OFFICER. Two bills have gone to the foot of the calendar, and the first of them will be called at this time.

The bill (S. 951) to prescribe the weight to be given to evidence of tests of alcohol in blood, urine, or breath of persons tried in the District of Columbia for certain offenses committed while operating vehicles was announced as next in order.

Mr. McCARRAN. Mr. President, I think this bill should go over.

The PRESIDING OFFICER. On objection, the bill is passed over.

The bill (S. 1184) to extend the Youth Correction Act to the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. CASE. Mr. President, reserving the right to object, at the time when the bill was reached during the call of the calendar, I asked that the bill go to the foot of the calendar, in order that I might consult with a member of the Committee on the District of Columbia who is on the judiciary subcommittee of that committee.

I have consulted with him. He has not had an opportunity to examine the bill. He feels and I feel that the bill should receive further study.

Therefore, Mr. President, I respectfully ask that the bill go over until the next call of the calendar.

The PRESIDING OFFICER. On objection, the bill is passed over.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION—SUPPLEMENTAL COMPACT BETWEEN STATES OF PENNSYLVANIA AND NEW JERSEY

The PRESIDING OFFICER. The Chair understands that the Senator from Florida wishes to call up a bill to which he referred a few moments ago.

Mr. HOLLAND. Mr. President, unless there is objection, on behalf of the four Senators mentioned—the two Senators from the Commonwealth of Pennsylvania and the two Senators from the State of New Jersey—and on behalf of the Committee on Public Works, and with the consent of the majority leader and the consent of the minority leader, I should like to ask that Senate bill 1938, granting the consent of Congress to a supplemental compact or agreement between the two States represented by the four Senators mentioned, be considered at this time.

The PRESIDING OFFICER. Is there objection?

Mr. SALTONSTALL. Mr. President, as acting minority leader, I certainly do not object. I think it is a most proper thing to do, because two related bills have been passed by the Senate today, and therefore the compact would carry out the purpose of those bills.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1938) granting the consent of Congress to a supplemental compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Joint Toll Bridge Commission, and for other purposes, which had been reported from the Committee on Public Works, with amendments.

Mr. HOLLAND. Mr. President, by way of brief explanation, let me say that there are already two compacts in existence, one of which relates to the lower reaches of the Delaware River, the other one of which relates to the upper reaches of that river. There is involved in this bill a Delaware River Joint Toll Bridge Commission. The supplemental compact simply extends jurisdiction of the Commission to include the belt which, up to now, has not been included in either the

lower reaches or the upper reaches of the river.

I believe that is a correct statement of the gist of the supplemental compact now submitted to Congress for its consent and approval.

The Committee on Public Works is unanimous in its feeling that the efforts of the two States in this regard should be commended.

The PRESIDING OFFICER. The Clerk will state the committee amendments.

The CHIEF CLERK. On page 1, line 6, it is proposed to strike out "herein" and insert "therein."

The amendment was agreed to.

The next amendment was, on page 9, line 25, to strike out "considered" and insert "construed."

The amendment was agreed to.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The next amendment will be stated.

The LEGISLATIVE CLERK. On page 12, line 1, after "Delaware River," it is proposed to strike out "Notwithstanding any of the provisions of the General Bridge Act of 1946, as amended, or of any special act of the Congress authorizing or consenting to the construction of any bridge so acquired or heretofore or hereafter constructed by the Delaware River Joint Toll Bridge Commission," and in the next word "said" to strike out "s" and insert "S."

The amendment was agreed to.

The next amendment was, on page 13, line 2, after the word "tolls", to strike out the comma and insert a period, and strike out "or the rates of toll shall thereafter be so adjusted as to provide funds not exceeding the amount necessary for the proper maintenance, repair and operation of such bridge or bridges under economical management."

The amendment was agreed to.

The next amendment was, on page 13, after line 5, to insert the following new section:

SEC. 3. The right to alter, amend or repeal this act is hereby expressly reserved.

The amendment was agreed to.

Mr. HENDRICKSON. Mr. President, the distinguished Senator from Florida has so ably explained the purposes of the bill that I shall not labor the Senate at all with any explanation of the bill or its merits. It has great merit. Here again we take a step forward with our defense program.

But, Mr. President, I do desire to take this opportunity to pay sincere tribute to the distinguished governors of Pennsylvania and New Jersey, whose leadership has so advanced these great projects, these great river crossings, and these developments in the Philadelphia Basin.

Governor DUFF, of Pennsylvania, now Senator DUFF, and Governor Driscoll, of New Jersey, labored long and hard to bring the projects into fruition. And now Governor Fine and Governor Driscoll are laboring together for a development in the Delaware River Basin, the like of which will probably be found nowhere else in the world.

I would not want this moment to pass without saying of those great and dis-

tinguished leaders and statesmen that they have done much to develop the areas over which they exercise authority.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1938) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the supplemental compact or agreement set forth below, and to each and every term and provision thereof: *Provided*, That nothing therein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof:

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending the agreement entitled 'Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties,' as heretofore amended, by extending the jurisdiction and powers of the commission.

"Whereas the Delaware River Joint Toll Bridge Commission (hereinafter referred to as the 'commission') was created by a compact or agreement entitled 'Agreement Between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining its Powers and Duties,' executed on behalf of the Commonwealth of Pennsylvania by its Governor on the 19th day of December 1934, pursuant to an act of its general assembly approved the 25th day of June 1931 (Pamphlet Laws 1352), as last amended by an act of said general assembly approved the 18th day of May 1933 (Pamphlet Laws 827), and executed on behalf of the State of New Jersey by its Governor on the 18th day of December 1934, pursuant to an act of its senate and general assembly approved June 11, 1934 (ch. 215, Laws of 1934; R. S. (1937) 32:8-1), to which compact or agreement the consent of the Congress of the United States was given by section 9 of an act of the Congress approved August 30, 1935 (Public, No. 411, 74th Cong., 49 Stat. 1051, 1058); and

"Whereas said compact or agreement was amended by a supplemental agreement, executed on behalf of the Commonwealth of Pennsylvania by its Governor on the 8th day of July 1947, pursuant to an act of its general assembly approved June 13, 1947 (Pamphlet Laws 592), and executed on behalf of the State of New Jersey by its Governor on the 3d day of July 1947, pursuant to an act of its senate and general assembly approved June 13, 1947 (ch. 283, laws of 1947), to which supplemental agreement the consent of the Congress of the United States was given by an act of the Congress approved August 4, 1947 (Public, No. 355, 80th Cong., 61 Stat. 752); and

"Whereas it is necessary to protect the investment made by the commission in the bridge now under construction between the city of Trenton, N. J., and the borough of Morrisville, Pa., and the investments made by said Commonwealth and said State in the approach highways connected with said bridge, and in order to finance additional

bridges over the Delaware River and thereby facilitate the flow of traffic between said Commonwealth and said State: Now, therefore,

"The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

"Paragraph (a) of article X of the agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties, which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the 19th day of December 1934, and was executed on behalf of the State of New Jersey by its Governor on the 18th day of December 1934, as amended by the supplemental agreement which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the 8th day of July 1947, and was executed on behalf of the State of New Jersey by its Governor on the 3d day of July 1947, be and the same is hereby amended to read as follows:

"(a) The commission may acquire, construct, rehabilitate, improve, maintain, repair, and operate bridges for vehicular or pedestrian traffic across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey at any location north of the boundary line between Bucks County and Philadelphia County in the Commonwealth of Pennsylvania as extended across the Delaware River to the New Jersey shore of said river. The commission may also, subject to the approval of the State Highway Department of the State of New Jersey and the Department of Highways of the Commonwealth of Pennsylvania, lease such bridges as lessor to, and contract for the operation of such bridges by, one or more public bodies, instrumentalities, commissions, or public agencies.

"Whenever any bridge north of the boundary line described above in this paragraph (a), proposed to be acquired by the commission pursuant to the provisions of this agreement, has been constructed pursuant to consent or authorization granted by Federal law, the acquisition of such bridge by the commission shall be by purchase or by condemnation in accordance with the provisions of such Federal law, or the acquisition of such bridge by the commission shall be pursuant to and in accordance with the provisions of sections 48:5-22 and 48:5-23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said Federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge whether the same be owned, held, operated, or maintained by any private person, firm, partnership, company, association, or corporation or by any instrumentality, public body, commission, public agency, or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by an instrumentality, public body, commission or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania.

"In addition to other powers conferred upon it, and not in limitation thereof, the commission may acquire all right, title and interest in and to the Tacony-Palmyra Bridge, across the Delaware River at Palmyra,

N. J., together with any approaches and interests in real property necessary thereto. The acquisition of such bridge, approaches and interests by the commission shall be by purchase or by condemnation in accordance with the provisions of the Federal law consenting to or authorizing the construction of such bridge and approaches, or the acquisition of such bridge, approaches or interests by the commission shall be pursuant to and in accordance with the provisions of sections 48:5-22 and 48:5-23 of the Revised Statutes of New Jersey, and for all the purposes of said provisions and sections the commission is hereby appointed as the agency of the State of New Jersey and the Commonwealth of Pennsylvania exercising the rights and powers granted or reserved by said Federal law or sections to the State of New Jersey and Commonwealth of Pennsylvania jointly or to the State of New Jersey acting in conjunction with the Commonwealth of Pennsylvania. The commission shall have authority to so acquire such bridge, approaches and interests, whether the same be owned, held, operated or maintained by any private person, firm, partnership, company, association or corporation or by any instrumentality, public body, commission, public agency or political subdivision (including any county or municipality) of, or created by or in, the State of New Jersey or the Commonwealth of Pennsylvania, or by any instrumentality, public body, commission or public agency of, or created by or in, a political subdivision (including any county or municipality) of the State of New Jersey or the Commonwealth of Pennsylvania. The power and authority herein granted to the commission to acquire said Tacony-Palmyra Bridge, approaches and interests shall not be exercised unless and until the Governor of the State of New Jersey and the Governor of the Commonwealth of Pennsylvania have filed with the commission their written consents to such acquisition.

"The word 'bridge' as used in this agreement shall include such approach highways and interests in real property necessary thereto in said Commonwealth or said State as may be determined by the commission to be necessary to facilitate the flow of traffic in the vicinity of any such bridge or to connect such bridge with the highway system or other traffic facilities in said Commonwealth or said State: *Provided, however*, that the power and authority herein granted to the commission in connection with the approach highways shall not be exercised unless and until the Department of Highways of the Commonwealth of Pennsylvania shall have filed with the commission its written approval as to approach highways to be located in said Commonwealth and the State Highway Department of the State of New Jersey shall have filed with the commission its written approval as to approach highways to be located in said State.

"Notwithstanding any other provision of this agreement or any provision of law, State or Federal, to the contrary, the commission may combine for financing purposes any bridge or bridges hereafter constructed or acquired by it with any or all of the bridges described or referred to in any trust indenture securing bridge revenue bonds of the commission at the time outstanding, subject to any limitations or restrictions contained in such trust indenture.

"Notwithstanding any provision of this agreement, nothing herein contained shall be construed to limit or impair any right or power granted or to be granted to the Pennsylvania Turnpike Commission or the New Jersey Turnpike Authority, acting alone or in conjunction with each other, to provide for the financing, construction, operation, and maintenance of one bridge across the Delaware River south of the city of Trenton

in the State of New Jersey: *Provided*, That such bridge shall not be constructed within a distance of 10 miles, measured along the boundary line between the Commonwealth of Pennsylvania and the State of New Jersey, from the bridge being constructed across the Delaware River by the commission between the Borough of Morrisville in said Commonwealth and the city of Trenton in said State, so long as there are any outstanding bonds or obligations of the commission for which the tolls, rents, rates, or other revenues, or any part thereof, of said bridge now being constructed shall have been pledged; but such bridge may be constructed at any other location north of the boundary line described above in this paragraph (a). Nothing contained in this agreement shall be construed to authorize the commission to condemn any such bridge."

"In witness whereof, this 12th day of July 1951, Alfred E. Driscoll has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

"ALFRED E. DRISCOLL,
Governor, State of New Jersey.

"Attest:

"LLOYD B. MARSH,
Secretary of State.

"And, on this 17th day of July, 1951, John S. Fine has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

"JOHN S. FINE,
Governor, Commonwealth of Pennsylvania.

"Attest:

"GENE D. SMITH,
Secretary of the Commonwealth."

SEC. 2. Subject to the provisions of the compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission, as amended, said commission is hereby authorized to acquire any bridge heretofore constructed under the authority or with the consent of the Congress across the Delaware River. Said commission is hereby authorized to combine for financing purposes any two or more bridges heretofore or hereafter constructed or acquired by the commission and to fix and charge tolls for the use of such bridges so combined and to pledge such tolls in accordance with the provisions of the said compact or agreement, as amended: *Provided*, That in fixing the rates of toll to be charged for the use of any bridge hereafter constructed or acquired by said commission or any bridges so combined, the same shall be so adjusted as to provide funds sufficient to pay the reasonable costs of maintaining, repairing, and operating such bridge or bridges and their approach facilities under economical management, and to provide funds sufficient to amortize the costs of such bridge or bridges and their approach facilities, including reasonable interest and financing cost, as soon as possible, under reasonable charges, and said commission may continue such tolls on all bridges heretofore or hereafter constructed or acquired by the commission until all such costs shall have been amortized; after funds sufficient for such amortization shall have been so provided, such bridge or bridges shall thereafter be maintained and operated free of toll.

SEC. 3. The right to alter, amend or repeal this act is hereby expressly reserved.

Mr. McCARRAN. Mr. President, as I understand—and if I am in error, I hope I may be corrected by the Chair—the call of the calendar has been concluded, and we are not now operating under the 5-minute rule.

The PRESIDING OFFICER. The Senator from Nevada is correct.

COMMENDATION OF SENATOR HENDRICKSON, SENATOR SCHOEPPEL, AND THEIR STAFF ON THE MINORITY CALNDAR COMMITTEE

Mr. O'CONOR. Mr. President, I rise at this time to say a word of commendation of two Senators on the other side of the aisle, the Senator from New Jersey [Mr. HENDRICKSON] and the Senator from Kansas [Mr. SCHOEPPEL]. I think it would be unfortunate for us to conclude the call of the calendar without noting with praise the excellent work done by our colleagues and the painstaking manner in which they have, not only today, but heretofore, devoted themselves to the study and consideration of the calendar bills. They, with their very able counsel, Mr. Kammerman, have done outstanding work; and, creditable as it is, I think it deserves the praise and thanks of the Senate.

Mr. HENDRICKSON. Mr. President, on behalf of my distinguished colleague the Senator from Kansas [Mr. SCHOEPPEL] and myself, I wish to thank the distinguished Senator from Maryland [Mr. O'CONOR]. I am sure both of us are deeply appreciative of his words of commendation.

Mr. McCARRAN. Mr. President, I wish to join the Senator from Maryland in the expression just made by him in reference to the Senator from New Jersey [Mr. HENDRICKSON] and the Senator from Kansas [Mr. SCHOEPPEL]. Their work in this body has been most commendable. As chairman of the Judiciary Committee, and in dealing with a great number of claims and immigration matters, I have found their criticism and their careful study of the bills most helpful. To pass these claim bills continuously is a task which requires careful scrutiny. I welcome and have welcomed and will continue to welcome the fine work of those two Senators and their able staff.

SENATE JUDICIARY COMMITTEE WORK AND WORKLOAD AS OF SEPTEMBER 30, 1951, EIGHTY-SECOND CONGRESS

Mr. McCARRAN. Mr. President, if I may do so with propriety, I should like to dwell for a minute or so on the workload of the Senate Judiciary Committee during the Eighty-Second Congress. As of September 30, 1951, that workload consisted of 48.6 percent of all Senate bills and resolutions introduced; 60.4 percent of all House bills and resolutions presented in the Senate; 50.8 percent of all bills and resolutions irrespective of origin.

Not only has the Judiciary Committee received a far larger share of the Senate's total workload than any other standing committee of the Senate; it has also performed a larger share of all committee work than any other committee. Of 844 written reports submitted in the Senate by all committees, the Judiciary Committee has submitted 466, which represents 55.2 percent.

The total of reports made to the Senate does not give the whole picture of

committee activity, because committee consideration of many bills resulted in adverse action and indefinite postponement. Furthermore, the committee has handled and disposed of more than 3,646 individual immigration cases involving suspension of deportation, and 1,190 cases involving adjustment of status under section 4 of the Displaced Persons Act, as amended. Each case is equivalent to a bill.

Through September 30, 1951, during the Eighty-Second Congress, the Judiciary Committee has received 1,244 Senate bills and resolutions and 369 House bills and resolutions, making a total of 1,613 bills and resolutions.

As of September 30, 1951, the committee had disposed of 562 Senate bills and resolutions and 317 House bills and resolutions, or a total of 879 bills and resolutions.

Of the bills thus disposed of, 69 were general bills other than claims or immigration; 242 were private relief bills; 555 were private immigration bills; 6 were general claims bills; and 7 were general immigration bills.

Committee approval was granted to 242 Senate bills and resolutions and 225 House bills and resolutions, or a total of 467 bills and resolutions of both Houses.

It should be noted that written reports were filed by the committee with respect to all but one of the 467 bills and resolutions approved.

Of the bills and resolutions acted upon favorably, 51 were general bills other than claims or immigration; 122 were private relief bills; 286 were private immigration bills; 3 were general claims bills; and 5 were general immigration bills.

Bills postponed indefinitely by the committee included 320 Senate bills and resolutions; 92 House bills and resolutions; or a total of 412 bills and resolutions of both houses.

Of the bills thus acted upon unfavorably, 18 were general bills other than claims or immigration; 120 were private relief bills; 269 were private immigration bills; 3 were general claims bills; and 2 were general immigration bills.

Measures pending before the committee as of September 30, 1951, included 682 Senate bills and resolutions and 52 House bills and resolutions, or a total of 734 bills and resolutions of both Houses.

Of these bills, 141 are general bills other than immigration and claims; 114 are private relief bills; 443 are private immigration bills; 18 are general claims bills; and 18 are general immigration bills.

Committee action, in most cases, must await reports from interested departments and agencies in the executive branch. As of September 30, 1951, the number of bills and resolutions pending before the committee with respect to which reports have been requested but not received was 417, of which 31 were general bills other than claims or immigration; 35 were private relief bills; 336 were private immigration bills; 8 were general claims bills; and 7 were general immigration bills.

Thus it will be seen that out of the 1613 bills and resolutions referred to the committee, the number of cases in which the committee has not acted but in which the committee either had received the reports or deemed reports unnecessary, totaled 317, of which 110 were general bills other than claims or immigration; 79 were private relief bills; 107 were private immigration bills; 10 were general claims bills; and 11 were general immigration bills.

It will be noted the committee has disposed of 317 House bills and resolutions out of 369 such measures referred to it, leaving only 52 House bills and resolutions pending as of September 30, 1951.

This means the committee took action on 85.9 percent of all House measures received.

In comparison, out of 1,244 Senate bills and resolutions referred to it, the committee acted upon 562, leaving 682 Senate bills and resolutions pending. This means that, although the committee had to start from scratch in all such cases, action was taken on 45.1 percent of all Senate measures received.

Suspensions of deportation by the Attorney General and adjustments of status under section 4 of the Displaced Persons Act, as amended, are, under authority delegated by the Congress, reported to the Congress in groups; but in the committee, each such individual case requires separate investigation, appraisal, and action. At the beginning of the Eighty-second Congress, there were pending in the committee 2,761 cases of suspension of deportation, to which were added 6,761 additional cases submitted since the beginning of the Congress, making a total of 9,522 cases, of which 3,646 were approved; 527 were held for further consideration; 27 were withdrawn by the Attorney General; leaving 5,322 cases in process as of September 30, 1951.

At the beginning of the Eighty-second Congress, there were pending 845 cases of adjustment of status under section 4 of the Displaced Persons Act, as amended, to which were added 1,511 additional cases submitted during this Congress, making a total of 2,356 cases, of which 1,190 were approved and 7 were withdrawn by the Attorney General, leaving 1,159 cases in process as of September 30, 1951.

Through September 30, 1951, the committee received 23 Executive nominations, of which 22 were Federal judges, 29 were United States district attorneys, 21 were United States marshals, 1 was Commissioner of Immigration and Naturalization, 1 was Assistant Commissioner of Patents, 1 was Deputy Attorney General, 1 was an Assistant Attorney General, 2 were Examiner in Chief, Board of Appeals, United States Patent Office, and 5 were members of the Subversive Activities Control Board. As of September 30, 1951, nominations still pending totaled 11.

Mr. President, I have read this statement to the Senate in order that I might express my gratitude for and commendation of the fine attention and the fine

work which have been exhibited by the 12 members of the Committee on the Judiciary of the United States Senate. It speaks volumes for the fact that they have given their attention and their continuous thought to these perplexing questions running into thousands every month.

Mr. SALTONSTALL. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. SALTONSTALL. Let me say, from this side of the aisle, that so far as I know, the committee has given perfectly nonpartisan consideration to the questions referred to it, and so far as my personal office is concerned, it has given what I would call excellent service. As one Member of the Senate, I certainly appreciate it.

I would also say that I agree with the Senator from Nevada in his references to the Senator from New Jersey [Mr. HENDRICKSON] and the Senator from Kansas [Mr. SCHOEPPPEL]. We on this side of the aisle get much comfort from their activities because we feel that the calendar cases are being well investigated, and that no bills are going to be passed which the Senate might later have cause to regret.

Mr. McFARLAND. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. McFARLAND. I also wish to add a word of commendation of the good work of the Senator from New Jersey and the Senator from Kansas, and to express my appreciation for the cooperation which they have given me as Majority Leader in handling these matters. I include also the work of the distinguished Senator from Nevada [Mr. McCARRAN]. He seems to have charge of approximately two-thirds of the bills on the calendar. So I feel he is to be commended for the good work he has done as chairman of the Committee on the Judiciary.

Mr. O'MAHONEY. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. O'MAHONEY. I retired, with great reluctance, from the Committee on the Judiciary as a result of the Reorganization Act, but since I have observed the tremendous burden of work that committee has to carry, and of which the Senator from Nevada, the distinguished chairman of the committee, has to take so much personal supervision, I feel that I escaped a great deal of very arduous labor. I join with the majority leader in expressing commendation of the chairman of the Judiciary Committee for the administration talent which he necessarily possesses to discharge this great burden of work.

Mr. McFARLAND. I may say to my good friend from Wyoming that the distinguished and able chairman of the Judiciary Committee evidently is very fond of work, because he does a great deal of it.

Mr. McCARRAN. Mr. President, I would do more work if the majority leader would only permit me to get my bills up.

Mr. SALTONSTALL. Mr. President, I would say that no Senator could get

more bills on the calendar and get them up more quickly than does the Senator from Nevada.

Mr. HENDRICKSON. Mr. President, I feel very humble indeed in the face of all these compliments, and I am grateful, and I know the Senator from Kansas [Mr. SCHOEPPPEL] is grateful, for the commendation we have received from distinguished Senators on both sides of the aisle.

I take advantage of this opportunity, while I am on my feet, to say that the splendid work of the Committee on the Judiciary would never have been fully realized if it had not been for the able and inspiring leadership of the distinguished senior Senator from Nevada [Mr. McCARRAN]. It has been an inspiration to serve with him.

Mr. HOLLAND. Mr. President, I should like to join in the warm congratulations and strong commendations of the Senator from New Jersey and the Senator from Kansas and of the Senator from Nevada in the commendatory references to the members of the Committee on the Judiciary.

Mr. MORSE. Mr. President, I want to take a few minutes on an extraneous matter. First, however, let me say that I wish to join in the very deserving commendations given to the Senator from New Jersey [Mr. HENDRICKSON] and the Senator from Kansas [Mr. SCHOEPPPEL] for the splendid work they have performed, not only for this side of the aisle, but, I feel, for the entire Senate, as members of what we have come to call the Republican Calendar Committee. I have never known them to fail to give very careful and studious consideration to the bills pending on the calendar. I am sure they would share my view when I say that the splendid work which they have done would not have been possible if it had not been for the very able assistance of Mr. David Kammerman, who has aided them in the handling of calendar matters.

Some of us, as the Senate knows, have certain very strict policies in regard to calendar bills, such, for example, as my insistence that no Federal property shall be given away for nothing, either to private institutions or to public bodies, and that if the property is to be used for a public purpose by a public body they must be willing to pay at least 50 percent of the market value of the property.

Mr. President, these members of the Republican Calendar Committee, along with the able assistant, Mr. Kammerman, so thoroughly understand the position of the junior Senator from Oregon in regard to the application of that principle that I never need to be on the floor if I am called off the floor for some official purpose when any bill is pending, because I know they will see to it that an objection is raised, and that the principle of the Senator from Oregon in regard to this type of proposed legislation will be protected during his absence from the floor. That is one specific example of the detail to which the two able Senators go in seeing to it that the interests and rights of Members of the Senate are always protected in regard to the calendar.

Mr. President, the Senator from Illinois [Mr. DOUGLAS] is in need of meeting a plane almost immediately, and I understand that a measure in which he is interested is about to be called up. I shall be very happy to yield to him at this time, and I shall later discuss another matter.

AMENDMENT OF COMMUNICATIONS ACT OF 1934

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 537) to further amend the Communications Act of 1934, which were, on page 2, line 12, after "owners", insert "The authority granted to the President, under this subsection, to cause the closing of any station or device and the removal therefrom of its apparatus and equipment, or to authorize the use or control of any station or device and/or its apparatus and equipment, may be exercised in the Canal Zone", and on page 2, strike out all after line 14 over to and including line 4, on page 3, and insert:

(h) Any person who willfully does or causes or suffers to be done any act prohibited pursuant to the exercise of the President's authority under this section, or who willfully fails to do any act which he is required to do pursuant to the exercise of the President's authority under this section, or who willfully causes or suffers such failure, shall, upon conviction thereof, be punished for such offense by a fine of not more than \$1,000 or by imprisonment for not more than 1 year, or both, and, if a firm, partnership, association, or corporation, by fine of not more than \$5,000, except that any person who commits such an offense with intent to injure the United States, or with intent to secure an advantage to any foreign nation, shall, upon conviction thereof, be punished by a fine of not more than \$20,000 or by imprisonment for not more than 20 years, or both.

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1864) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes, and it was signed by the Vice President.

ADDITIONAL ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 11, 1951, he presented to the President of the United States the enrolled bill (S. 1864) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes.

AMENDMENT OF THE RAILROAD RETIREMENT ACT AND THE RAILROAD RETIREMENT TAX ACT

Mr. McFARLAND. Mr. President, I listened to the discussion by the dis-

tinguished Senator from Illinois [Mr. DOUGLAS] on Senate bill 1347, the bill relating to amendment of the Railroad Retirement Act and the Railroad Retirement Tax Act. I was convinced by that discussion that the proper way to settle the impasse was for the Senate to consider the bill now and then to work out the differences in conference. I had hoped that the railroad men, who are vitally interested, would be able to reach an agreement on this proposed legislation before it came before the Senate. Since that does not appear possible, I move that the Senate proceed to the consideration of Senate bill 1347, Calendar No. 842.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1347) to amend the Railroad Retirement Act and the Railroad Retirement Tax Act and for other purposes.

GEN. DWIGHT D. EISENHOWER

Mr. BREWSTER. Mr. President, I should like to speak briefly. I am sorry to interrupt the course of events, but I rarely inflict my voice on the Senate. What I shall say is a little apart from the discussion which is proceeding, but it is, I think, a matter which it is well to have in the records of the Senate so that, while it is said there are none so blind as those who will not see, and none so deaf as those who will not hear, those on either side of the aisle who are giving consideration to the future political developments in this country may at least be advised that there are factors which perhaps have not been sufficiently considered.

I refer now to the current discussion, widely quoted in the press, regarding the future course of General Eisenhower, commanding our forces in Europe at the present time under the Atlantic Pact.

Returning from Europe in the latter part of July, the Senator from Maine made the statement that General Eisenhower seemed to him to be the indispensable man in Europe. There was some cynical comment as to whether my opinion might be prejudiced by my own views as to who might wisely be nominated for President this coming year. I was gratified a little later, on August 3, 1951, when Mr. Bernard Baruch, who is certainly not susceptible of being charged with being overly friendly to the Republican Party, returned from Europe with precisely the same statement. I quote from the New York Times of Friday, August 3. The headline is as follows: "Eisenhower's job defined by Baruch—Military task of preserving world peace is put before a political role here."

Then follows the article:

General of the Army Dwight D. Eisenhower is "thoroughly imbued with the idea of preserving the peace of the world" and should be allowed to continue in his military post, Bernard M. Baruch asserted yesterday.

General Eisenhower's mission, he said, was "probably the most important task a single individual has had in our lifetime."

There was considerable comment on this matter at the time. The President of the United States referred to it briefly on the same day, as it appears in the New York Times, when he was quoted as follows:

One of the reporters at the news conference told the President that Bernard M. Baruch, returning from Europe and conferences with General Eisenhower, had stated that the general was doing the greatest job since Peter the Hermit, who preached the First Crusade, and that persons trying to get him away from his job and into politics were doing a disservice to the country.

Mr. Truman said he thought the general was doing a magnificent job and that he hoped and believed he would continue to do that job as long as necessary.

The discussions continued, however, among the columnists and the commentators as to General Eisenhower's activity, and among the week-end visitors who flocked over to Europe to secure his autograph and to discuss with him issues he was willing to discuss.

We come down now to the present time, and the Senator from Maine was rather profoundly gratified to have his opinion of 2 months ago confirmed by so responsible an organ as the New York Times, which, in its issue of Tuesday, October 9, carried a special article from Bonn, Germany, by Drew Middleton, a special correspondent of the Times, one certainly not suspect as to his partisan affiliations. I wish to read what he said; and it seems to me that in the current discussions in this country regarding our future foreign policies and the various men who may participate, it would be well to bear in mind an opinion such as is expressed in this article in yesterday's New York Times. I read:

The prospect that General of the Army Dwight D. Eisenhower, Supreme Allied Commander, may return to the United States to run for the Presidency as the Republican candidate next year has set distress signals fluttering in defense ministries and army commands of Western Europe.

Reports that a "Draft Eisenhower" boom is developing produced a flood of anxious questions by general officers and defense officials, who have gathered in Germany for United States Army maneuvers.

This apprehension is based on fears that withdrawal of General Eisenhower's confident dominant personality would seriously delay defense efforts in several European countries, that with a less forceful personality at the helm of the Supreme Command West Germany would achieve a position of predominance in the command, and an anxiety over the ability of any successor to handle the delicate and important political aspects of the Supreme Commander's job.

The least publicized achievement of General Eisenhower in Europe has been his transference of confidence to the peoples of the Continent and the armies that represent them. This is most evident in the French Army, but it is no less evident or important in the armies of Norway and Denmark or the Low Countries.

"I really do not think we would be here if Eisenhower had not convinced our people and our Government first that we had to arm; and second, that once armed, we had a good chance of averting a Soviet invasion," a Dutch officer said during the British maneuvers.

"What will happen in Holland if he goes I do not know."

What worries this officer and many others is that they expect General Eisenhower to leave his job at Supreme Headquarters, near Paris, next spring. This is the season that they regard as critical in 1952, the period in which they feel the Russians will decide whether to attack that year or wait.

Since the rearmament of West Germany first was discussed openly in the autumn of 1949 at Field Marshal Viscount Montgomery's headquarters at Fontainebleau the overriding fear in west European commands and defense ministries has been that a rearmament of Germany in time would seize military leadership of the Continent.

This especially was true of the French high command. Its generals envisaged a situation in which German rearmament to the extent of 12 divisions, the number favored by United States military authorities, would be followed by gradual withdrawal of United States troops from Europe.

I may say that General Eisenhower himself has envisioned such withdrawal as early as might prove practicable.

Under these conditions, they feared that Germany, anxious to regain her lost territories in the east, now under Polish administration, would try to lead the rest of Western Europe in a war of revenge against the Soviet Union.

To the French, General Eisenhower brought hope and security. Not only did he trim the exaggerated plans of United States planners down to size but he brought about adoption of a plan under which German divisions of 13,000 men each were to be incorporated into a European army. The French worry today is whether General Eisenhower's successor will have influence in Europe or with the United States Congress to keep German rearmament within the boundaries now set for it.

French officers also noted that no other United States commander enjoyed the same confidence in Europe—

That is very natural, since General Eisenhower was the leader of the liberation of Europe, and it is only natural that he should enjoy their confidence to a preeminent degree.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. BREWSTER. I am happy to yield.

Mr. DOUGLAS. I congratulate the Senator from Maine for the high opinion in which he holds General Eisenhower—a high opinion in which the Senator from Illinois joins. I deeply appreciate it, and I am sure that there will be forthcoming in the future further evidences of the high opinion in which the Senator holds General Eisenhower.

Mr. BREWSTER. I have never failed to express that opinion on repeated occasions. In fact, the only criticism which I received when I returned from Europe was that I had extolled General Eisenhower too far. When Mr. Baruch said that the job which General Eisenhower was doing in Europe was more important than any other job in the world, I think he was well warranted. I hope the Senator from Illinois shares my opinion.

Continuing to read from the New York Times article:

French officers also noted that no other United States commander enjoyed the same confidence in Europe and that General Eisenhower's successor, no matter how competent, would be faced with an extremely

difficult task of achieving cooperation between the new German army and the forces of the Continent.

"Let us not think that we or the Dutch or the Norwegians like having the Germans with us," a distinguished French general said recently. "We know it is necessary, but it will take someone with General Eisenhower's tact, forcefulness, and experience to weld all these forces. Who else can do that?"

A strange aspect of conversation with these military leaders is that none has any doubts that the job that General Eisenhower is doing in Europe is more important than the Presidency.

I hope the Senator from Illinois will note this. This is the opinion of military leaders in Europe.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. DOUGLAS. Is there any office in the world more important than that of President of the United States?

Mr. BREWSTER. This is not my opinion. This is the opinion of the military leaders in Europe. Mr. Baruch apparently indicated somewhat of an inclination toward the same view.

Told that Americans thought differently, one Belgian general shrugged his shoulders and remarked that this would not be true if the Russians were sitting on the Mexican border and General Eisenhower was trying to unite 48 different States to resist them.

It can be seen how our European friends feel about the matter.

The French, who expect to provide a majority of the forces for a European army, although their apprehensions about German strength indicate that there is still a considerable gap between promise and fulfillment—

They were supposed to have 10 divisions by the first of December. We shall be fortunate if we have five French divisions.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. JOHNSTON of South Carolina. Would not General Eisenhower, as President of the United States, have charge not only of Western Europe, but of all the world, so far as that is concerned, in speaking for the United States?

Mr. BREWSTER. I would not undertake to advise the Senator from South Carolina as to what his party might do. I was speaking simply from the standpoint of Republicans who are concerned with the safety and security of our country and the successful implementation of the North Atlantic Pact.

Mr. JOHNSTON of South Carolina. Neither am I saying what the Senator from Maine might do if he were a candidate running on the Democratic ticket.

Mr. BREWSTER. I can well understand why the Senator from South Carolina might desire some other nomination than his party is likely to make.

Continuing with the article from the New York Times:

The French, who expect to provide a majority of the forces for a European army, although their apprehensions about German strength indicate that there is still a considerable gap between promise and fulfillment, would like General Eisenhower's suc-

cessor to be a French general. The British would like to see the job go to a Briton, especially Field Marshal Viscount Alexander. But they know they have no chance of getting French acceptance, and thus would like another United States general.

One shift that has been much discussed would send Gen. J. Lawton Collins, United States Chief of Staff, to Supreme Headquarters in West Europe, with Gen. Matthew B. Ridgway, Supreme Commander in the Far East, returning to Washington as Chief of Staff. Another name mentioned in connection with General Eisenhower's job is that of Gen. Mark W. Clark, Chief of United States Field Forces, who has had abundant experience in Europe, politically and militarily.

This is what interests the Senator from Maine, because it is the precise language which he used 2 months ago:

European military leaders, however, regard General Eisenhower as indispensable. Their distress at the possibility of his departure indicates that they are under no illusions that the danger of a Soviet attack has been averted by military accomplishments of the last 12 months.

Mr. DOUGLAS. Mr. President, will my good friend and former college mate yield for a question?

Mr. BREWSTER. Certainly.

Mr. DOUGLAS. The Senator from Maine has spoken of the distress which the European military leaders would feel if General Eisenhower were to depart from Europe, return to the United States, and become President. Would that distress of the European military leaders be equal to the distress which many politicians in both parties would feel if General Eisenhower were to leave Europe and become President of the United States?

Mr. BREWSTER. I have not heard any particular distress expressed in that regard, so far as concerns the politicians with whom I have discussed the matter. I believe that certainly General Eisenhower—and I hope the Senator from Illinois agrees with me—would be a very great improvement on some Presidents we have had. I note that the Senator from South Carolina [Mr. JOHNSTON] indicates that he might possibly agree.

It is pointed out in this article—and again I am citing it as the opinion of an impartial and neutral observer in Europe—that next spring may be the crucial time. The picture of General Eisenhower turning tail and leaving Europe at that particular crisis, when the Russians may be ready to launch their attack, is not one which in my judgment reflects the approach General Eisenhower is likely to take. In other words, I have supreme confidence in the conception of General Eisenhower as to his job and his responsibilities. I am profoundly gratified that the Congress of the United States has gone as far as it has in upholding his hand, although thus far unsuccessfully, as the Senator from Massachusetts [Mr. LODGE] indicated earlier, when he pointed out that we were sending him only one-fifth of what we were supposed to send him. That is equally true of the difficulties which he is having in mobilizing and unifying the countries of Europe, both in their rearmament and in the development of their military potential. I believe that the people of the United

States, irrespective of the politicians, may well consider the factors which are pointed out by so impartial a critic as Mr. Drew Middleton, of the New York Times.

EVALUATION OF FISCAL REQUIREMENTS OF EXECUTIVE AGENCIES—AMENDMENT OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. MOODY. Mr. President, I ask unanimous consent that the motion to reconsider the action of the Senate on the bill (S. 913) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, made by the Senator from Arkansas [Mr. McCLELLAN], be agreed to, and that the bill be restored to the calendar. The bill was unanimously reported by the Committee on Expenditures in the Executive Departments, after 2 years of study. It should be restored to the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. SALTONSTALL. Mr. President, reserving the right to object—and I shall not object—the junior Senator from Nebraska [Mr. WHERRY] is very much interested in this question. Unfortunately, he is unable to be present on the floor of the Senate. However, the Committee on Rules and Administration has reported a similar bill, which he introduced. It deals with the same general subject. It is now on the calendar. Under the circumstances I certainly would have no objection to the request of the Senator from Michigan, so that in the discretion of the majority leader both bills may be considered at the same time.

Mr. MOODY. That is the purpose of my request.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. Senate bill 913 will be restored to the legislative calendar.

APPROPRIATIONS FOR DEPARTMENT OF DEFENSE—CONFERENCE REPORT

Mr. O'MAHONEY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5054) making appropriations for the National Security Council, the National Security Resources Board, and for military functions administered by the Department of Defense, for the fiscal year ending June 30, 1952, and for other purposes. I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The report was read.

(For conference report, see pp. 12684-12686, House proceedings, CONGRESSIONAL RECORD, October 5, 1951.)

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Yes.

Mr. SALTONSTALL. I merely wish to say that I have discussed the conference report with Senators on this side of the aisle, and I know of no objection. However, because of the size of the bill and its importance, if the request of the Senator from Wyoming is granted I shall

ask that we have a quorum call so that Senators may be notified.

Mr. O'MAHONEY. Before proceeding with the conference report I wish to address a question to the Senator from Arizona. He made a motion that the railroad retirement bill be made the unfinished business of the Senate. I understood that there would be no debate with reference to taking up the bill. A moment ago, however, it was suggested that there might be some debate on it. Therefore, I feel it would be preferable to proceed with the conference report at this time.

Mr. McFARLAND. I have no objection to the Senator from Wyoming proceeding with the conference report.

Mr. O'MAHONEY. Mr. President, I shall make a motion that the Senate agree to the conference report, either now or after a quorum call has been had.

Mr. SALTONSTALL. I will be very glad to have the Senator from Wyoming make his motion.

Mr. O'MAHONEY. Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

Mr. MORSE. Mr. President, will the Senator from Massachusetts withhold his suggestion of the absence of a quorum?

Mr. SALTONSTALL. I shall be glad to do so.

Mr. MORSE. I should like to make a brief statement. I see no reason for having a quorum call.

Mr. SALTONSTALL. Does the Senator from Oregon desire to discuss the conference report?

Mr. MORSE. Not the conference report.

Mr. O'MAHONEY. May I ask the Senator from Oregon as to the length of his proposed remarks?

Mr. MORSE. I am unable to say.

Mr. O'MAHONEY. The conference report is a privileged matter. It is now almost 5:30 o'clock. I do not believe that it would take a great deal of time to dispose of the report. I wish to suggest to the Senator from Oregon that he will have an opportunity, and just as an effective opportunity as he has now, to make his remarks after the quorum call and after the adoption of the conference report.

Mr. MORSE. I wish to say to my good friend from Wyoming that I cannot stop a quorum call, but I intend to discuss what I wish to discuss before we adopt the conference report. I had hoped that we could dispose of the railroad retirement bill, and I was willing to accommodate the Senator from Illinois, thinking that that was the question to which we would devote our attention, but it did not work out that way. I do not intend to delay any further. As soon as I get the

floor in my own right I intend to say what I have to say. However, I do not see any reason for a quorum call.

Mr. SALTONSTALL. I withdraw my request for a quorum call.

GEN. DWIGHT D. EISENHOWER

Mr. MORSE. Mr. President, I have two or three subjects which I intend to discuss.

First, I wish to say that I can well understand why certain forces within my party would like to keep General Eisenhower in Europe. I do not share their point of view that he should stay in Europe, because I believe the overwhelming demand of the common men and women of America for a political leadership in the White House which will unify the country will be heard with such increasing vigor in the months ahead that it will be clear not only to General Eisenhower but to our friends throughout the world that the greatest service he could render, not only to his country but to free peoples everywhere, would be to run for the Presidency of the United States.

I can think of nothing that would cause greater disunity in our country and cause more uncertainty and disturbance within world public opinion as to America's future foreign policy than to have nominated at the Republican convention next summer a reactionary Republican. I believe it to be very important that my party nominate a man such as Dwight Eisenhower, who will instill confidence not only in the more than 150,000,000 American people, but also in the millions of men and women who are our friends among the other free peoples of the world.

Mr. President, I do not accept the premise that Eisenhower is indispensable either in his position in Europe or in any other position; but I do hold to the point of view that in this period of acute crisis Eisenhower ought to serve his country in the capacity in which he can render the greatest service for our generation and for history. I believe he can best do that as a candidate for the Presidency of the United States on the Republican ticket. I am satisfied that once it is made clear to the American people that Eisenhower is available for that high office all other candidates will pale into insignificance, because of the tremendous public reaction in favor of the great Eisenhower.

I would say to my Republican brethren far and wide across the land, Mr. President, that I consider it to be so important to defeat the present Democratic administration that we should not miss the great opportunity to select a man who will unify the country and will leave no room for doubt as to the defeat both of the reactionary forces within my party and of the Democratic administration at one and the same time.

It can be expected that in the months ahead a strong plea will be made—and with some plausibility—for keeping Eisenhower in Europe, because that is where his political opponents really want to keep him. They must keep him there if they are to nominate a reactionary Republican. They know full well that

if Eisenhower turns his task in Europe over to other able men who wear the American military uniform, the objectives of his program will proceed unimpeded and successfully. For the sake of national unity and international security he must be made available to perform the great service which I think history has destined him to perform for the American people as their President.

Now, Mr. President, I wish to discuss another matter.

The PRESIDING OFFICER (Mr. MONROE in the chair). The Senator from Oregon has the floor.

THE IRANIAN OIL DISPUTE

Mr. MORSE. Mr. President, I wish to discuss at this point an article appearing in the newspapers today under the title "Our Oil." The article is printed under the byline of Peter Edson.

I read the first paragraph of the article:

The way in which American oil production has been mobilized to bail the British out on their Iranian oil dilemma is a story little known outside the international petroleum industry. But it presents a number of United States oil policy problems.

Should United States petroleum production be allowed to go into export in large quantities? Or should United States oil be kept for this country, exclusively? And how much foreign oil should be brought to America, to save United States reserves?

Mr. President, I ask unanimous consent that the remainder of the article may be printed at this point in the RECORD, without my reading it, as part of my remarks, so that I may make further comment upon it.

There being no objection, the remainder of the article was ordered to be printed in the RECORD, as follows:

Both United States and foreign oil demands now stand double their prewar 1938 rate. Forecasts indicate the foreign demand will probably increase more rapidly in the future. Foreign demands were rising steadily when Iranian production was cut off by the strikes of last March and April.

Iranian output had been running at about 610,000 barrels a day. Loss of 30,000,000 barrels in a few weeks upset all free-world markets. European countries dependent on Iranian oil tried to get oil from United States companies. Department of Justice gave its clearance on June 25 for 19 United States companies operating abroad to work together to relieve the world oil shortage. Stewart P. Sherman of New Jersey Standard was named chairman of the group.

By early August a plan of action had been worked out to relieve world oil shortages. Tankers and storage tank capacity were pooled. Crude oil and products were exchanged. At first, 200,000 barrels of Middle East crude that had been coming to the United States daily were diverted to Europe. This has now been cut down to 90,000 barrels a day, for the rest of the year. Other middle eastern and Venezuelan producers found they could step up their production by 270,000 barrels a day.

European consuming countries were then put on an allocation basis, which cut daily demand by 75,000 barrels a day, for products. Free-world refining capacity was inventoried. It was found Eastern Hemisphere refineries could produce an additional 195,000 barrels a day. And from the United States 190,000 barrels a day of refined products will be supplied by December.

All these diversions from normal American supplies have been made possible by drawing on American reserves for the domestic market. When the Iranian crisis first developed, United States stockpiles were high. There was some fear in the industry that prices would have to be cut, to reduce stockpiles. The Iranian shortage was therefore a boon, in cutting down the surpluses.

The United States Government, with an eye to the defense situation, wants stockpiles kept high. Petroleum Administration therefore asked Louisiana Conservation Commission and Texas Railroad Commission to allow greater production, and so meet the world oil shortage. Both agreed.

The Texas Commission, however, has sent a letter to the United States State Department, asking why the United States should drain its resources to meet Anglo-Iranian shortages. Independent United States producers, on the other hand, are alarmed by increased competitive American production in the middle east and Venezuela. And United States consumers have a right to ask why they should have to pay higher prices, to meet Europe's shortage.

Mr. MORSE. Mr. President, we should face the fact that the Iranian oil problem presents some very serious international questions for the United States. It is directly connected with United States foreign policy. In this country there are many persons, including myself, who are very much concerned as to just what is the policy of the United States State Department in regard to American-British oil tactics. For example, I should like to know to what extent and to what degree the policies advocated by Harriman in his recent negotiations between the Iranians and the British represent also the policy of the State Department of the United States. I am sure there are in this country many other persons who hold a point of view similar to mine and would like to know, as I would, to what extent the State Department proposes to underwrite the exploiting practices of the British in Iran. I happen to be one who holds to the point of view that we cannot justify underwriting and guaranteeing the British oil practices in Iran, because, for the most part, they have been characterized by exploitation. Today the British are reaping the negative results from the abuses they have perpetrated in Iran for many years in respect to oil.

Of course, there is serious international danger from the standpoint of the threat of Russia to Iran; and I yield to no one in my opposition to creeping communism in the Middle East or anywhere else in the world. Nevertheless, we should not play into Russia's hands by supporting a British oil policy which, in my opinion, on the basis of the facts and in accordance with the merits, cannot be justified. We should realize, Mr. President, that the nationalization of the oil industry of Iran is an accomplished fact, and that we are not going to turn back the hands of that economic clock.

Therefore, I believe that our Government should use its good offices in regard to the Iranian dispute only to the extent of doing what it can to see to it that the legitimate—and I stress the word "legitimate"—economic rights of the British in Iran and the legitimate domestic economic rights of the Iran-

ians are protected. Here we have, once again, an international legal question involving the respective rights of two sovereigns, in a dispute which should be settled by the rules of reason, not by the jungle law either of economic force or of the rattling of the weapons of war.

Mr. President, if they once come to understand the economic facts and the facts concerning the British practices in Iran, I seriously question that the American people will react with very much enthusiasm to any policy on the part of their Government which would seem to back up the British in their demands to continue to take out of Iran more than a fair and just return on the investment which the British have in the oil properties in that nation. I am satisfied that any careful presentation of the evidence bearing upon the British practices in Iran will show that the British have been following in Iran a course of action similar to the one which both the British and the United States oil companies followed prior to the nationalization of the oil industry in Mexico some years ago. Our record in this field of international oil policy is not a flawless one. It is not a lily-white record. A great many eyes around the world are watching what steps we take in Iran, and are looking to see whether we truly have changed our course of action and are willing to practice some of our professions of recent years, namely, to stand for economic justice in the field of international oil policy. We must demonstrate before it is too late that we are not going to support a program of economic imperialism and exploitation, which too frequently has characterized the policies of Great Britain in the backward areas of the world, and which, unfortunately, according to the record, has to too great an extent characterized our own policy in certain instances in the field of international economics.

Mr. President, there is available a great tribunal for the trial of both the legal and the related economic questions in connection with the Iranian oil problem, and that is the World Court. In keeping with the ideal which our Government so constantly emphasizes in its Voice of America programs and in its pronouncements from the State Department and the White House, that we stand for a system of international justice through law, I feel that we ought to make clear both to Great Britain and to Iran that we believe both countries should bring this issue into the World Court for a determination of the legal questions and a decision upon the facts. According to my view, such a sound procedure and resort to international justice would in and of itself guarantee both to Great Britain and to Iran that their legitimate rights would be protected. It would give assurance that Iran would not be allowed, by way of issuing a legislative edict or an executive order by her Premier, to confiscate and steal property which does not belong to her, an act which she cannot justify as a kind of legal larceny. It would also make clear to Great Britain that she, on the other hand, must face the fact that Iran

as a sovereign state has the right, as did Mexico some years ago, to nationalize her oil industry; but that at the same time Iran has a corollary duty and obligation, in keeping with the spirit of international law, to see to it that just compensation is paid for property which she takes over under the establishment of such a new national oil policy.

It would be well for all Americans, as we consider this Iranian oil crisis, to profit from some of the lessons which I hope we have learned from the expropriation policy of Mexico some years ago. I was then and still am a critic of the ways and the means that Mexico adopted to accomplish the nationalization of her oil industry. Yet that she had the right to nationalize her oil industry no one can justifiably question; and that she had good cause to nationalize her oil industry likewise I think no one can justifiably question. From Mexico's standpoint she was forced to nationalize her oil industry because what the great oil companies and oil promoters of Great Britain and the United States did in Mexico was a national shame. They went into Mexico and they wasted great quantities of oil. They wasted great quantities of natural gas necessary to preserve for maximum production the oil reserves of Mexico. They took out of Mexico the lion's share of that oil for the selfish profits of British and American oil companies, leaving very little for the benefit of the Mexican people, who, in the last analysis, Mr. President, were the true owners of that great oil heritage which nature gave to Mexico. As a result of the nationalization of the oil industry of Mexico, a running feud, in my opinion, has been carried on by certain forces within the State Department against the organization charged under Mexican law with the administration of the oil industry in Mexico known as Pemex. Little cooperation has come out of the State Department with Mexico in respect to its oil industry, and yet Mexican leaders sit by and see the State Department demonstrate the most friendly of attitudes toward the representatives of the oil industry in other Latin countries, in which countries the great oil companies of the world still are taking advantage of an opportunity to exploit the oil resources of those countries; Mexican leaders see certain people in the State Department demonstrate great interest and concern over American oil policies in the Middle East, and now at the present time great interest and concern over the policies of Great Britain in Iran. I think it is a very short-sighted policy on the part of our Government, too, because in this little country of Mexico to the south of us are some of the richest oil reserves remaining in this continent. I suggest that what the State Department should be doing is building up a bridge of good will between the United States and Pemex, encouraging and aiding Pemex in developing the oil resources of Mexico. Such would be in keeping with a good-faith point 4 economic program.

Yes, Mr. President, I think the United States State Department should recognize that the oil industry of Mexico has been nationalized, and unquestionably

it is going to remain nationalized. Any continuance of a negative, antagonistic attitude on the part of the United States State Department toward Pemex is not going to change the nationalization policy of Mexico in respect to her oil. But I think there are just grounds for complaint on the part of the State Department toward certain policies which have been practiced in the past by Mexico prior to and during the process of nationalization of the oil industry. I think that if the State Department would take the steps necessary to remove the causes of the antagonisms which have developed over Mexican oil policies some of those differences could be settled, either on a diplomatic basis, or if necessary, by reference to the World Court for determination, as I suggest the Iranian dispute should be referred to the World Court for determination.

We are missing a great opportunity in the little Republic to the south of us by what I consider to be an antagonistic attitude on the part of the State Department toward the nationalization of the oil industry in Mexico. The State Department is opening itself to the suspicion that instead of representing the diplomatic interests of the United States, it is influenced greatly by the economic interests of certain powerful oil companies with tremendous international holdings.

Mr. BREWSTER. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. Not at this point.

Mr. President, I think we are missing a great opportunity in the little Republic to the south of us because, so far as I can find out, there is general agreement among the leaders of our country that the head of Pemex, Senator Antonio Bermudez, is not only one of the outstanding statesmen of Mexico, but he is recognized as one of the outstanding statesmen of the world against whom not a serious question as to his honesty, integrity, and sound character can be raised. That is the type of leadership in a foreign country that the United States should be encouraging and supporting, rather than placing obstacles and handicaps in his path. He is a statesman who, during World War II, as a great Mexican leader, demonstrated clearly his friendship for the United States. In fact, Mr. President, he is an international figure who, perhaps, is the best-informed man in the world on the intricate problems that develop in connection with the nationalization of a country's oil industry. I would say, Mr. President, that I doubt if we could turn to any man in the world today who could give sounder counsel to the leaders of the United States in respect to the Iranian oil problem than can the head of Pemex, Senator Bermudez.

I think the leaders of the United Nations, Mr. President, would do well if in their consultations on the Iranian oil problem, they brought in Bermudez as an expert witness to testify in the hearings and to speak his mind on the problems that confront the country in the nationalization of its oil industry, because I think he is the world's outstand-

ing authority on nationalization policy in respect to oil.

Let me make clear, Mr. President, that I hold no brief for the nationalization of the oil industry of Mexico. I think it was a mistake to nationalize it. Let me make crystal clear that I would oppose, with all the vigor at my command, any attempt to attempt to nationalize the oil industry of my own country or any other industry of my country. But we have got to face some international facts, Mr. President, and I think one great fact we have to face is that a new strategy is developing among the backward areas of the world on the part of the young nations—young from the standpoint of adopting democratic processes—and that tactic, Mr. President, is, I think, to nationalize more and more as a technique in order to drive out of their countries the exploiting imperialistic policy of some of the nations of western civilization which have exploited their natural resources for so long.

If we are going to stop this nationalization policy in many of these areas—I think it has many dangers connected with it, because I have a feeling that it is a step on the road to a form of totalitarianism—then the United States, Great Britain, France, Holland, and the other great countries of the world that have extensive holdings in many foreign lands are going to have to change suddenly their policy of draining out of these backward countries such a large share of the products that they are taking out of the natural resources of those countries.

Iran is a perfect example. I think that one of the best ways, Mr. President, for us to stop the kind of capitalizing upon the Iranian situation which Stalin and his Communist crowd employ—so we are informed by information that gets to us through the press and from reports from our own Government officials—is for the free countries of the world to make clear that we are going to practice these great principles of the United Nations charter which include principles that recognize the economic right and opportunity of the peoples of foreign lands to enjoy for their own benefit and for the purpose of raising their own standard of living, their own natural resources. These principles include international protection of the right of foreign investors that helped to develop the natural resources of another country a fair return on their investment, but no more. That is a policy that will make clear that we are willing to help our weaker friends around the world in this fight for economic and political freedom upon which the rights of individuals are so dependent. Also, at the same time, it will make clear that we intend to stop the practice of economic exploitation which has characterized so much of the economic foreign policy of Great Britain and, to too great a degree, the economic foreign policy of the United States as well.

Thus, Mr. President, on this subject I make these remarks because I think Peter Edson has written a column today which deserves the careful attention of the Members of the Congress. We better

be on guard against what I think is the danger that an exploiting British oil policy may draw us into a war in the Middle East. As for me, Mr. President, I do not think we should sacrifice the lives of American boys in order to guarantee Great Britain that she should be allowed to keep the disproportionate profit that she has been taking out of Iran oil, instead of adopting a policy of a fair return on the investment that British capitalists have made in Iran.

I desire now, Mr. President, to turn my attention to another subject.

The PRESIDING OFFICER. The Senator from Oregon may proceed.

INDEPENDENT AIR CARRIERS

Mr. MORSE. Mr. President, I have before me an article by Thomas L. Stokes entitled "Death for the 'Nonskeds'." In introducing the article I want to say that one of the most useful and constructive Senate committees has been the Senate Select Committee on Small Business. This committee, under the able chairmanship of the junior Senator from Alabama [Mr. SPARKMAN], has worked harmoniously and made a major contribution to the small business community in our economy, resulting in a contribution to the defense effort.

Recently that committee filed a unanimous report dealing with the small independent air carriers, the so-called nonskeds, and this report sets forth a program which could give this new and vital segment of our air transportation industry a definite place in civil aviation.

The battle of the independents versus the large subsidized airlines is a graphic example of the small enterprises fighting for existence against the entrenched protection-minded corporations, with the referee in this case the Civil Aeronautics Board, taking a position which is noticeably favorable to the already established carriers.

The present phase of this struggle has been ably set forth in an account by Thomas L. Stokes, of the Scripps-Howard newspapers. Since this struggle involves not only small business, but the future of our civil aviation, with very important military overtones, I should like to have unanimous consent to place this article, and the remarks I have just made in respect to it, in the body of the RECORD, Mr. President.

The PRESIDING OFFICER (Mr. MONROE in the chair). Without objection, it is so ordered.

The article is as follows:

[From the Evening Star, Washington, D. C., of October 1, 1951]

DEATH FOR THE "NONSKEDS"—CAB IS STRANGLING SMALL AND INDEPENDENT AIRLINES WHICH SUPPLEMENT, NOT COMPETE WITH, MAJOR FIRMS

(By Thomas L. Stokes)

There's lot of lip service to free enterprise and the protection and promotion of small, independent business, but some agencies with authority to do something about it are certainly amiss.

For example, the Civil Aeronautics Board, the Government agency created to regulate and supervise our newest transportation industry. It might be expected to have a broad and fresh outlook with aviation and its

development in its keeping. Yet it is embarked now on a policy of strangling the so-called nonscheduled airlines most of them started by World War II veterans. This new, small business enterprise is meeting a public need for cheap and safe travel and freight service, and operates without any Government subsidy such as is paid the regular, scheduled airlines. Nor is it a real competitor for the big lines, but supplementary, providing service for those who can't patronize the latter.

The monopolistic attitude of CAB, which recently was attributed by the Senate Small Business Committee to subservience to the major scheduled lines, now is dramatized by its action in stopping operation of Air Transport Associates, Inc., a nonsked line operating from Seattle to Anchorage and Fairbanks. This line has been of great service, along with other nonskeds, to the people and business of Alaska and in helping to develop that outpost now so important to our national security.

Air Transport Associates was doing its job too well. It was put out of business by the CAB on the technicality of flying too often and violating regulations which drastically limit the number of trips. That limitation has driven other nonskeds out of business.

These trip regulations which restrict nonsked operations to three trips between any major traffic points in the United States and eight trips between any other points in any 4-week period, are part of what Senator SPARKMAN (Democrat, Alabama), chairman of the Senate Small Business Committee, called "a campaign to force all of the so-called nonscheduled coach airlines—the independent segment of the carrier industry—out of business."

His committee, after an investigation, asked the CAB to work out a program to protect the nonskeds and embrace them in our air-transportation system, specifically, among other things, to rescind a regulation requiring each nonsked company to apply individually for new authority to operate—previously provided by certificates of necessity. Senator SPARKMAN called this regulation a "death sentence" and said what would happen is that the nonskeds would be killed off, one by one, as they applied for new authority.

As if in proof, the first thing that happened thereafter was that the CAB refused further authority to Modern Air Transport, Inc., headed by a war veteran, which operated three large passenger planes that had flown 20,000,000 passenger-miles in 1949-50 for a gross revenue of \$750,000.

Now comes elimination of the Alaska line.

How important it was to Alaska was demonstrated in telegrams and letters that swamped the CAB from citizens and businesses there when the CAB threatened a few months ago to restrict its operations. Now it's been eliminated entirely.

How important to Alaska are all the nonskeds operating in that Territory was dramatically exhibited by facts and figures presented by Gov. Ernest Gruening when he appeared a few months ago before the Small Business Committee to complain bitterly about the way the "absentee bureaucracy" of CAB is hampering nonsked operations there. It had begun, he said, "to clamp down on this initiative and enterprise and has in consequence greatly retarded the normal development of Alaska." The legislature memorialized the CAB in vain. With scores of illustrations of human interest he showed how the nonskeds performed figuratively, almost literally, a store-to-door freight service from the United States to Alaska, carrying great quantities not only of necessities such as fresh fruits and milk which must be brought in, but innumerable other things needed in a still pioneer community, from household essentials to spare parts for

farm implements and once, even, a new switchboard for the Fairbanks telephone office when it was destroyed by fire.

Incidentally, on the same day when Air Transport Associates was put out of business, the CAB reopened the previous suspension of Modern Air Transport, Inc., which provoked Senator SPARKMAN's outburst, and included it with 46 other nonskeds in a new order consolidating all pending applications into a single proceeding to decide whether and to what extent the nonskeds ultimately can continue to operate.

Keep talking, Senator SPARKMAN.

AMENDMENT OF THE RAILROAD RETIREMENT ACT AND THE RAILROAD RETIREMENT TAX ACT

Mr. MCFARLAND. Mr. President, earlier today I entered a motion to take up Senate bill 1347, to amend the Railroad Retirement Act and the Railroad Retirement Tax Act, and for other purposes. The Senator from Illinois [Mr. DOUGLAS], believing we would be able to conclude consideration of the bill tonight, remained and missed a plane he was planning to take. However, now the Senator from Ohio [Mr. TAFT] tells me that he has a substitute for the pending bill, which he will offer, that he wants to debate it, and that he believes it will take a full day to consider it.

A conference report has now been made the unfinished business. It will be followed by a privileged conference report on the State, Justice, Commerce, and the Judiciary 1952 appropriation bill.

Mr. SALTONSTALL. Does the Senator hope to take that up tomorrow?

Mr. MCFARLAND. Both are going to be taken up tomorrow. Therefore, in view of the opposition that has developed to Senate bill 1347, the railroad retirement bill, which I did not know about at the time I made the motion, it will serve no useful purpose to go ahead with the railroad retirement bill today. Since we will have two conference reports tomorrow and there may be other conference reports to be taken up on Monday, I now withdraw the motion for the consideration of Senate bill 1347.

Mr. SALTONSTALL. Mr. President, I shall not oppose the Senator's action. I simply wish to say that the opposition is not to a bill, but the opposition is to the form in which Senate bill 1347 is at the present moment.

Mr. MCFARLAND. I stated that the Senator from Ohio said that he had a substitute which he would want to debate for a least a day. That alone would make it impossible to dispose of the bill quickly. Not knowing when the bill can be taken up, I think it best to withdraw my motion for consideration until I know more about the disposition of the various conference reports. Therefore I withdraw my motion for consideration of the bill.

The PRESIDING OFFICER. The Senator from Arizona has withdrawn his motion.

RECESS

Mr. MCFARLAND. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 3 minutes p. m.) the Senate took a recess until tomorrow, Friday, October 12, 1951, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 11 (legislative day of October 1), 1951:

DIRECTOR FOR MUTUAL SECURITY

W. Averell Harriman, of New York, to be Director for Mutual Security.

IN THE AIR FORCE

Lt. Gen. Laurence Sherman Kuter, 89A (major general, Regular Air Force), to be Deputy Chief of Staff, Personnel, United States Air Force, with rank of lieutenant general with date of rank from April 11, 1951, under the provisions of section 504, Officer Personnel Act of 1947.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 11, 1951

The House met at 10 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, the source of every blessing, Thou hast endowed men and nations with glorious capacities and insights to discover the wonders and mysteries of the universe with their unlimited possibilities for good but we penitently confess that mankind frequently uses them for cruel and unworthy ends.

Grant that by Thy spirit of mercy and compassion the mind and heart of man may be emancipated from all attitudes of hatred and bitterness, rancor, and revenge, and be tempered with some finer essence of brotherly kindness and forbearance and forgiveness.

Help us to believe in a social order in which men everywhere join hands in a great cooperative effort to establish peace and righteousness upon the earth. May we so reorder our own personal lives that we shall bear witness to our loyalty to the moral and spiritual standards.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1952

The SPEAKER. The unfinished business is the bill (H. R. 5650) making supplemental appropriations for the fiscal year ending June 30, 1952, and for other purposes.

Is a separate vote demanded on any amendment?

If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. RODINO. Mr. Speaker, the Committee on Appropriations has presented to the House as a major part of the second supplemental appropriation bill,